

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.04.2016

CORAM

THE HON'BLE MR. JUSTICE SATISH K.AGNIHOTRI
and
THE HON'BLE MR. JUSTICE V.BHARATHIDASAN

W.P.No.28713 of 2015

C.Loganathan

..Petitioner

Vs.

The Revenue Divisional Officer,
Dharmapuri, Dharmapuri District.

..Respondent

Petition filed under Article 226 of The Constitution of India praying for the issuance of a writ of certiorarified mandamus to call for the records relating to the order of rejection passed in proceedings in Na.Ka.6245/2013/A4 dated 28.08.2015 on the file of the respondent, quash the same and direct the respondent to issue community certificate to the petitioner's children viz., 1.L.Gowsalya and 2.L.Logeshwaran that they belong to Kurumans (ST) Community based upon the community certificate already issued to the close relatives of the petitioner.

For Petitioner .. Mr.S.Doraisamy

For Respondent .. Ms.A.Srijayanthi,
Spl. Govt. Pleader

ORDER

(Order of the Court was made by SATISH K.AGNIHOTRI, J.)

With the consent of the learned counsel appearing for the parties, the writ petition is taken up for final disposal.

2.Assailing the order of the respondent dated 28 August 2015, whereunder, the application of the petitioner for issuance of social status certificate that he and his children belong to Kurumans (ST) Community was rejected and to direct the respondent to issue community certificate to the petitioner and

his children, the petitioner has come up with the instant writ petition.

3.The petitioner, claiming to be belonging to Kurumans (ST) community, has made an application to the respondent on 27 February 2014, seeking issuance of such community certificate to himself and his children viz., L.Gowsalya and L.Logeshwaran. Pursuant to the notice issued by the respondent calling upon the petitioner to appear for enquiry along with the relevant documents, the petitioner appeared for enquiry along with the documents. Since no orders have been passed, the petitioner has preferred a writ petition being W.P.No.20185 of 2015, seeking a direction to the respondent to pass orders on the application of the petitioner dated 27th February, 2014. This Court, by order dated 8th July, 2015, granted two weeks time to the respondent to file an affidavit indicating as to why he has not initiated steps on the petitioner's application within the specified time and why enquiry was initiated after a period of more than a year and the present status of the case. Thereafter, vide order dated 10 July 2015, the respondent rejected the application of the petitioner. Thereagainst, the petitioner preferred another writ petition, being W.P.No.22348 of 2015 and by order dated 02 September 2015, the said writ petition was closed as the order impugned therein was recalled and a detailed order dated 28 August 2015 was passed. Feeling aggrieved by the said order, the petitioner has come up with the instant writ petition, seeking the aforestated relief.

4.Ms.A.Srijayanthi, learned Special Government Pleader appearing for the respondent, on instructions, submits that the respondent be permitted to recall the impugned order dated 28 August 2015 with liberty to take a fresh decision on the entire issue.

5.In such view of the matter, we are not inclined to adjudicate the dispute at this stage, reserving liberty to the respondent to take a decision in accordance with law and on its own merits as expeditiously as possible, preferably within a period of four weeks.

6.In view of the foregoing, the writ petition stands disposed of. No costs.

mmi

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

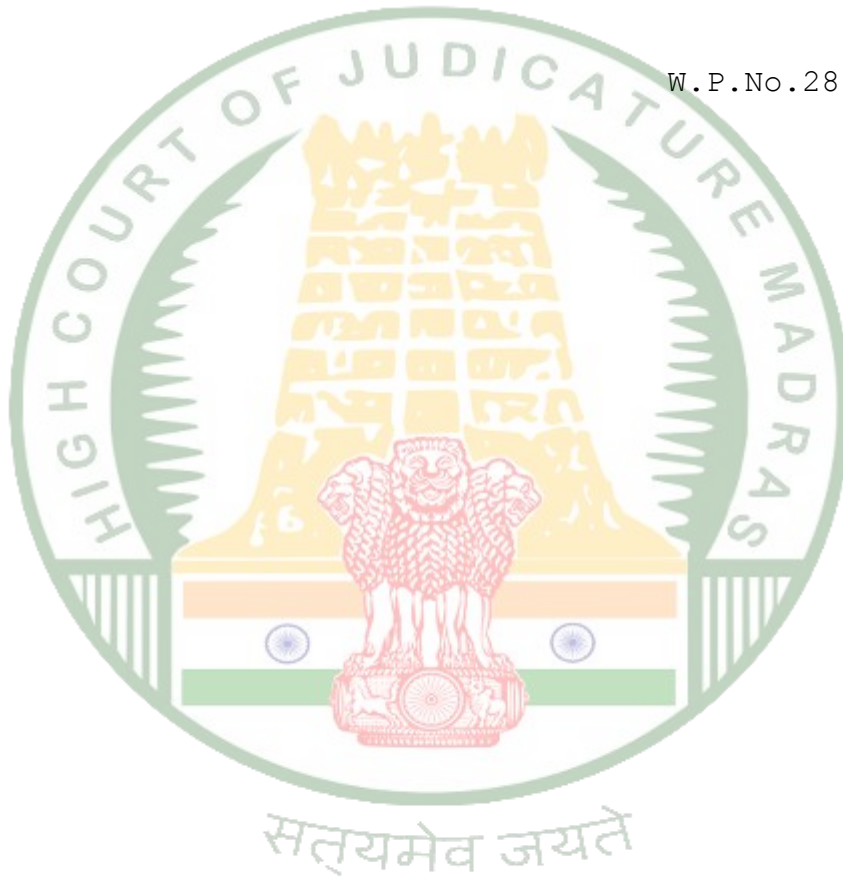
To

The Revenue Divisional Officer,
Dharmapuri, Dharmapuri District.

+ 1 cc to Mr.S.Doraisamy, Advocate Sr 22697

KR/20/4/16

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