

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 07.06.2016

CORAM

THE HONOURABLE MR. JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR. JUSTICE M.V.MURALIDARAN

W.P. NO. 31725 OF 2015

B.C.Vinayagam

.. Petitioner

- Vs -

The Revenue Divisional Officer
Tiruttani, Thiruvallur District.

.. Respondent

Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of certiorarified mandamus calling for the records relating to the order of rejection passed by the respondent in Na.Ka. 163/2015/A1 dated 18.09.2015, quash the same and direct the respondent to issue community certificate to the petitioner's sons, viz., (1) Sathish Kumar and (2) Mathivanan that they belong to Kondareddi (ST) community based upon the community certificate already issued to the petitioner.

For Petitioner : Mr. S.Doraisamy

For Respondents : Ms. Srijevanthi, Spl. G.P.

ORDER

(DELIVERED BY HULUVADI G.RAMESH, J.)

This petition has been filed to quash the order of rejection passed by the respondents in rejecting the community certificate issued by the Revenue Divisional Officer to the petitioner.

2. It is the case of the petitioner that he had approached the respondent authorities for issuance of community certificate to his sons and since the same was not considered. Therefore, at the first instance the petitioner filed a writ petition and based on the order passed therein the petitioner approached the respondent authorities, but in vain. Therefore, the petitioner once again approached this Court by filing W.P. No.2241 of 2015, wherein this Court directed the respondent to pass orders on the application within four weeks. Since the application of the petitioner for community certificate to his sons was rejected by the respondent, the petitioner is before this Court, in the third round, by filing the present petition.

3. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

4. In view of the relief sought for in this writ petition, it is not necessary to go into the merits of the matter. As per the provisions of the Act, it is for the petitioner to approach the Committee constituted by the Government and headed by the District Collector for redressing his grievance. Since the petitioner has not exhausted the appellate remedy available to him, this Court is of the considered view that the petitioner may approach the appellate authority constituted for this purpose to have his grievance redressed. Accordingly, this Court directs the petitioner to approach the said appellate authority/Committee within one month from the date of receipt of a copy of this Order and the appellate authority, on receipt of the said representation, shall consider the same and pass orders thereon in accordance with law within two months thereafter after hearing the petitioner.

5. With the above observations and directions this writ petition is disposed of. However, there shall be no order as to costs.

Sd/-

Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

GLN

To

The Revenue Divisional Officer
Tiruttani, Thiruvallur District.

1 cc to Mr.S. Doraisamy, Advocate, Sr. 30477
1 cc to Government Pleader, Sr. 30945

W.P. NO. 31725 OF 2015

KSJ (CO)
kk 20/6

WEB COPY