

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.07.2016

CORAM

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

Writ Petition No.21687 of 2016
and WMP.No.18536 of 2016

K.Vadivel

...Petitioner

vs.

1.The District Collector
District Collectorate
Thiruvannamalai

2.The Revenue Divisional Officer
Cheyyar
Thiruvannamalai District

3.The Tahsildar
Arani
Tiruvannamalai District

...Respondents.

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order of online rejection dated NIL on the application of the petitioner dated 01.10.2015 on the file of the 2nd respondent and quash the same as illegal and direct the respondents to issue community certificate to the petitioner's children (1) V.Ashok, (2) V.Karthi, (3) V.Prakash and (4) V.Bharathi as Hindu Malaikuravan (ST) community.

For Petitioner : Mr.A.Arul Mozhi

For Respondents : Mrs.A.Srijayanthi, Spl.Govt.Pleader

O R D E R

(Order of the Court was made by HULUVADI G. RAMESH, J.)

Heard the learned counsel for the petitioner and Mrs.A.Srijayanthi, learned Special Government Pleader, appearing for respondents 1 to 3.

2. As against the online rejection order dated NIL on the petitioner's application dated 01.10.2015, the petitioner is before this court.

3. It appears that the Revenue Divisional Officer, 2nd respondent herein, has rejected the Petitioner's application dated 01.10.2015, seeking community certificate as Hindu Malaikuravan (ST) Community.

4. The grievance of the petitioner is that the petitioner's application for issue of community certificate has not been considered by the 2nd respondent in a proper manner and no reasons have been stated in the online rejection order for rejecting the said request.

5. Admittedly, as against the impugned rejection order passed by the 2rd respondent-Revenue Divisional Officer, Cheyyar, as per the Circular issued by the State Government in G.O.(Ms) No.147, Revenue [RA-3(2)] Department dated 17.03.2016, appeal remedy is available to the petitioner before the Appellate Authority, viz., District Collector concerned and if he is still aggrieved by the order passed by the District Collector, the petitioner has got a further remedy of revision, before the State Level Scrutiny Committee.

6. In view of the same, the petitioner is directed to approach the Appellate Authority, viz., the District Collector concerned, by way of an appeal, as against the impugned rejection order passed by the 2nd respondent, within a period of one month from the date of receipt of a copy of this order. On such approach being made by the petitioner, it is for the authority concerned to enquire into the matter and pass appropriate orders thereon, in accordance with law, within a period of two months, thereafter, after affording an opportunity of hearing to the petitioner.

7. With the above direction, this writ petition is disposed of. No costs. Consequently, connected MP is closed.
nvsri

-s/d-
सत्यमेव जयते

Assistant Registrar(CS-II)

True Copy

Sub-Assistant Registrar

To

1.The District Collector
District Collectorate
Thiruvannamalai

2.The Revenue Divisional Officer
Cheyyar, Thiruvannamalai District

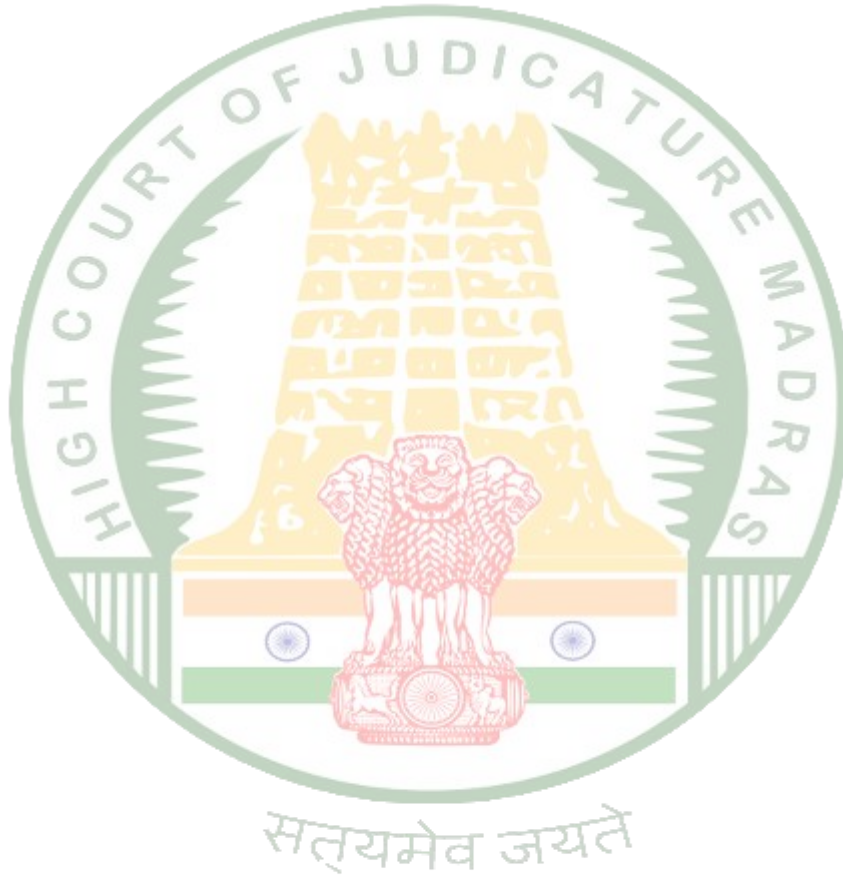
3.The Tahsildar
Arani
Tiruvannamalai District

+ 1 cc to M/s.A.Arulmozhi, Advocate SR 38474

+ 1 cc to Govt.Pleader SR 39166

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W.P.No.21687 of 2016



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