

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2016

CORAM

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI
AND
THE HON'BLE MR.JUSTICE M.VENUGOPAL

W.P.No.39034 of 2015
&
MP.NO.1 OF 2015

R. Krishnamoorthy ... Petitioner

Vs.

1. The Tamil Nadu State Level
Scrutiny Committee,
Adi Dravidar and Tribal Welfare Department,
Namakkal Kavingar Maligai,
Secretariat, Chennai 600 009
rep. By its Chairman.
2. Thiru P. Annamalai, I.A.S.,
Chairman,
State Level Scrutiny Committee and
the Secretary to Government,
Adi Dravidar and Tribal Welfare Department,
Secretariat, Chennai 600 009.
3. The Revenue Divisional Officer,
Dharmapuri.

.. Respondents

This writ petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records relating to the Tamil Nadu State Level Scrutiny Committee in proceedings No.13234/CVIII/2015, dated 03.11.2015 on the file of the first respondent and quash the same.

For Petitioner : Mr. S. Doraisamy

For Respondents : Mrs. A. Srijayanthi
Special Govt. Pleader - R1 & R3

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ORDER

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

Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents 1 and 3.

2. Questioning the legality and validity of the order dated 03 November, 2015 passed by the first respondent, viz., the Tamil Nadu State Level Scrutiny Committee, whereunder, it was concluded that the petitioner does not belong to Hindu Kurichchan (ST) Community, the instant writ petition is filed.

3. In response to the notice of this Court dated 11 December, 2015, the first respondent fairly admitted that the case was not referred to the Vigilance Cell for spot enquiry, as mandated under the decision of the Supreme Court in Kumari Madhuri Patil - Vs. - Additional Commissioner, Tribal Department and others¹. Thus, the impugned order has been withdrawn.

4. In view of the above, the relief sought in this writ petition has become infructuous. However, the respondents are directed to consider the petitioner's case afresh in the light of the decision in Kumari Madhuri Patil (supra) and the guidelines laid down by this Court in G.Venkitasamy and V. Balasubramaniam vs. The Chairman, State Level Scrutiny Committee and Secretary to Government, Adi Dravidar and Tribal Welfare Department, Namakkal Kavingar Maaligai, Fort St. George, Chennai - 9².

5. This writ petition is disposed of with the above direction. No costs. Connected miscellaneous petition is closed.

-s/d-

Assistant Registrar (CSVII)

True Copy

Sub-Assistant Registrar

1 (1994) 6 SCC 241

2 2016-1- L.W. 289

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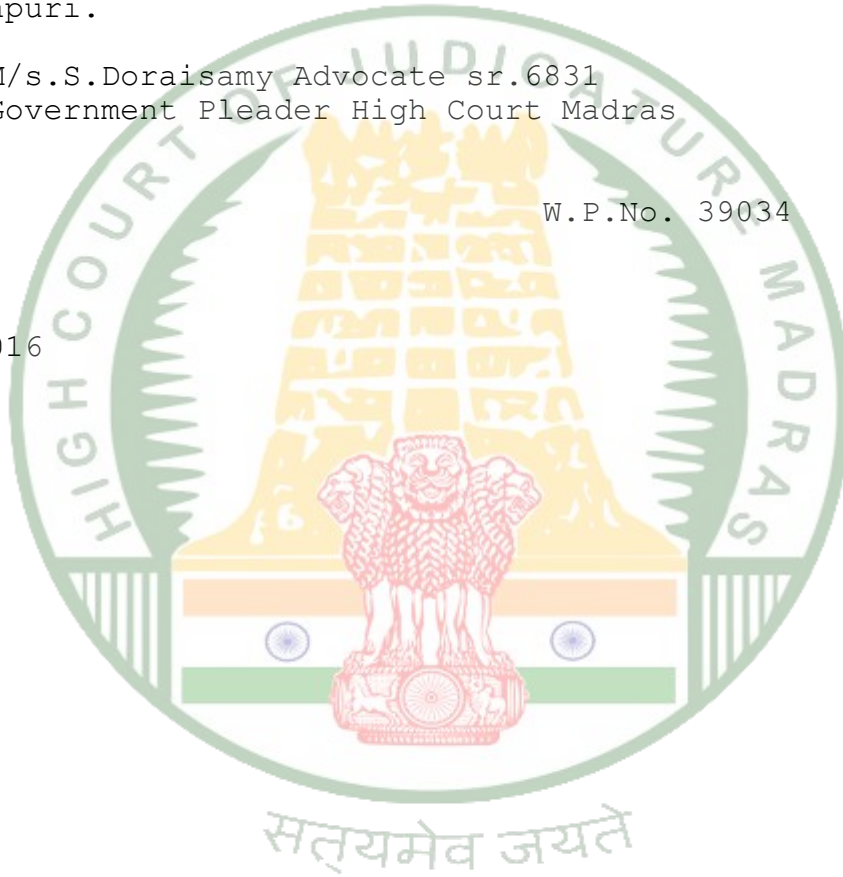
1. The Chairman
The Tamil Nadu State Level
Scrutiny Committee,
Adi Dravidar and Tribal Welfare Department,
Namakkal Kavingar Maligai,
Secretariat, Chennai 600 009
rep. By its Chairman.

2. The Revenue Divisional Officer,
Dharmapuri.

+1 cc to M/s.S.Doraisamy Advocate sr.6831
+1 cc to Government Pleader High Court Madras
sr.6514

W.P.No. 39034 of 2015

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