

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.01.2016

CORAM:

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI

and

THE HON'BLE DR. JUSTICE P. DEVADASS

W.P. No.40228 of 2015

B. Mathu

...Petitioner

vs.

The Revenue Divisional Officer
Dharmapuri
Dharmapuri District

...Respondent

Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the respondent to issue community certificate to the petitioner's grand children viz., 1. S. Vignesh, 2. S. Priyadharshini, 3. R. Roja and 4. R. Raja that they belong to Kurumans (ST) community based upon the community certificate already issued to the petitioner's younger son.

For petitioner: Mr. V. Elangovan

For respondent: Mr. N. Sakthivel, Govt. Advocate

ORDER

(delivered by SATISH K. AGNIHOTRI, J.)

With consent, the writ petition is taken up for final disposal.

2 By this writ petition, the petitioner seeks a direction to the respondent to issue Kurumans (ST) community certificate to his four grandchildren, based on such certificate issued to his younger son.

3 The main ground urged by the petitioner is that his younger son by name M. Ravi has already been granted Kurumans

(ST) community certificate on 15 June 1996. As such, his grandchildren also are entitled to such certificate.

4 This Court, examining the aforesaid issue, held in a catena of decisions that the community certificates issued to the near/close relatives of an applicant, have a probative value. Thus, the same cannot be ignored, but, examined qua relationship.

5 Subsequently, in G. Venkatasamy 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 - 9¹, this Bench, vide order dated 21 December 2015, laid down guidelines in sync with the directions issued by the Supreme Court earlier.

6 Mr. N. Sakthivel, learned Government Advocate, submits that a direction may be issued to the respondent to examine the petitioner's application dated 05 June 2015 in the light of the directions issued by this Court vide order dated 21 December 2015 (supra).

7 In view of the above submission made by the learned Government Advocate, it is ordered accordingly.

The writ petition stands disposed of with the above observation. No costs. The Secretary to Government, Adi Dravidar and Tribal Welfare Department, Chennai, is directed to circulate a copy of the order dated 21 December 2015 (supra) passed by this Bench to all the concerned authorities for adjudication and compliance, within a period of one week.

sd/-

सत्यमेव जयते
Assistant Registrar (Cs-II)

/TRUE COPY/

Sub-Assistant Registrar

cad

To

1. The Secretary to Government
Adi Dravidar and Tribal Welfare
Department, Secretariat, Chennai.

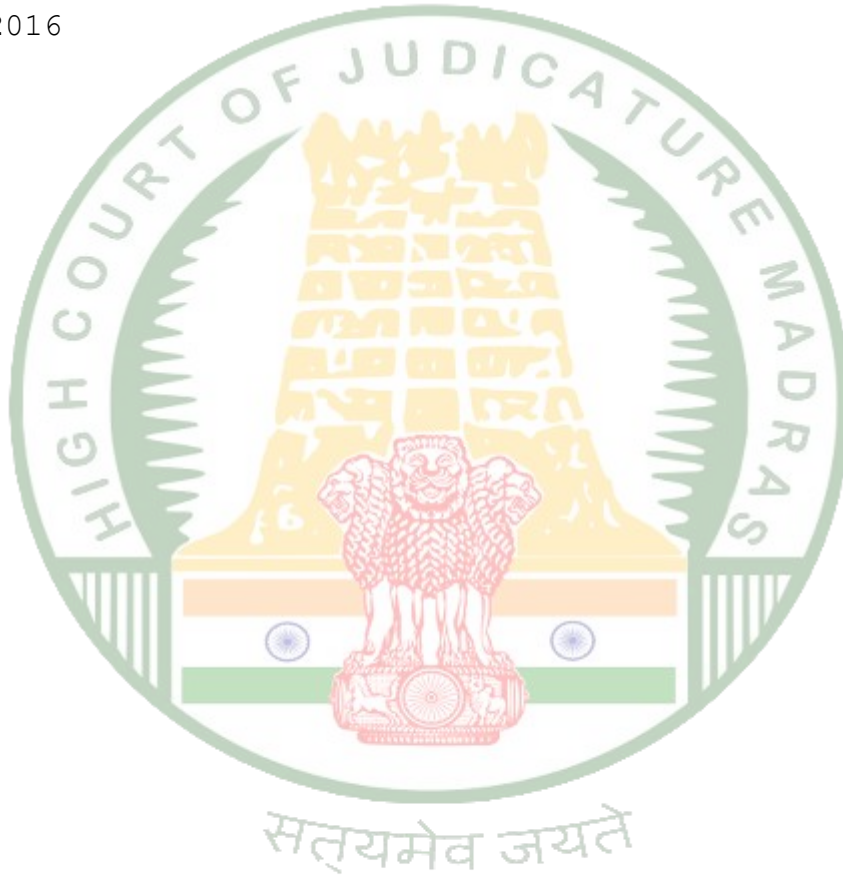
1 W.P. Nos.30368 and 31973 of 2015

2.The Revenue Divisional Officer
Dharmapuri
Dharmapuri District

+1 CC to MR.S.Doraisamy Advocate. SR.NO.398
+1 CC to Govt.Pleader. SR.NO.277

W.P. No.40228 of 2015

CO-VGI
JD 18/01/2016



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