

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.07.2016

CORAM

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

Writ Petition No.25057 of 2016

V.P.Arunagiri

...Petitioner

Vs.

The Revenue Divisional Officer,
Tambaram,
Kanchipuram District.

...Respondent

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 letter in Na.Ka.No.3384/2014/E dated 30.06.2016 on the file of the respondent, quash the same and direct the respondent to issue community certificate to the children of the petitioner viz., (i)A.D.Anand and (ii) A.D.Keerthana that they belong to Kattunayakan (ST) community based upon the community certificate already issued to the petitioner and his wife and family members.

For Petitioner : Mr.V.Elangovan

For Respondent : Mrs. A.Sri Jayanthi
Special Government Pleader

सत्यमेव जयते
O R D E R

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

Mrs.A.Srijayanthi, learned Special Government Pleader accepts notice on behalf of the respondent. With the consent of both the parties, the writ petition is taken up for final disposal at the stage of admission itself.

2. This Writ Petition is filed to quash the communication of the respondent dated 30.06.2016 and consequently, direct the respondent to issue community certificate to the children of the petitioner viz., (i)A.D.Anand and (ii)A.D.Keerthana that they belong to Kattunayakan (ST) community, based upon the community certificate already issued to the petitioner and his wife.

3. According to the petitioner, he belongs to Kattunayakan community, which is notified as Scheduled Tribe Community. Originally, he was residing at Shenbakkam Village, Vellore. Thereafter, he moved from Vellore to Chennai about 40 years back. The petitioner and his wife have obtained community certificate that they belong to Kattunayakan (ST) community from the concerned authority at Chennai. However, when he applied for issuance of community certificate to his children viz., (i) A.D.Anand and (ii) A.D.Keethana to the respondent, the petitioner's application was referred for enquiry. Even after conducting the enquiry, the respondent has not issued any certificate, but, he sent the impugned letter in Na.Ka.No.3384/2014/E dated 30.06.2016 to the Revenue Divisional Officer, Vellore, requesting to send a report about the genuineness of the community certificate already issued to the petitioner. Aggrieved over the same, the petitioner is before this Court with the present writ petition.

4. Heard the learned counsel for the petitioner and Mrs.A.Srijayanthi, learned Special Government Pleader for the respondent.

5. Considering the facts and circumstances of the case, we direct the respondent to consider the request of the petitioner for issuance of community certificate to his children viz., (i) A.D.Anand and (ii) A.D.Keerthana, by verifying the community certificate already issued to the petitioner with the documents available in the Office of the Revenue Divisional Officer, ***Tambaram** Division and pass necessary orders in accordance with law, after affording an opportunity of personal hearing to the petitioner, within a period of two months from the date of receipt of a copy of this order.

6. The Writ Petition is disposed of with the above direction. No costs.
rk

-s/d-

Assistant Registrar (CS-IV)

Dated : 29.07.2016

***Corrected as per the order of
this Court dated 11.08.2016 and
made herein.**

Sd/- Assistant Registrar (CS II)

Dated : 17.08.2016

True Copy

Sub-Assistant Registrar

To

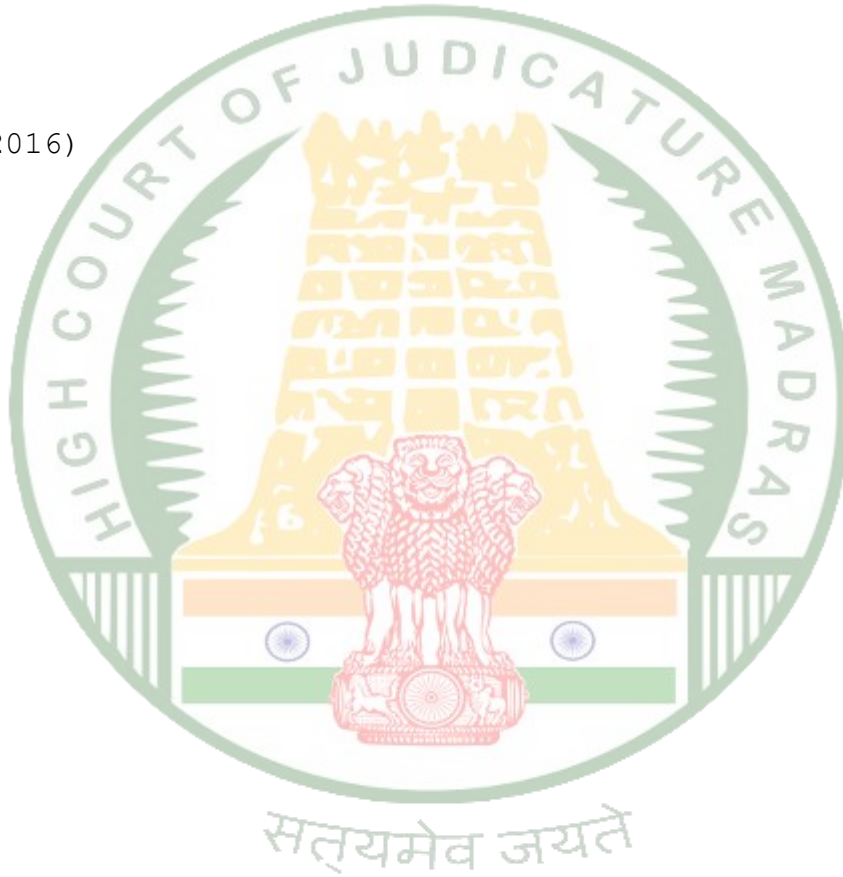
The Revenue Divisional Officer
Tambaram,
Kanchipuram District.

+ 1 cc to Mr.S.Doraisamy Advocate SR 40946
+ 1 cc to the Govt.Pleader SR 41300

W.P.No.25057 of 2016

gj(ii)
prk4/8

CA(17.08.2016)



WEB COPY