

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2016

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G. RAMESH  
and  
THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

Writ Petition No.32530 of 2016

C.Chinnarasu

... Petitioner

Vs.

The Revenue Divisional Officer  
Harur,  
Dharmapuri District.

.... Respondent

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent herein to issue Community Certificate to the petitioner and his son and daughter viz., C.Praveen Rajan and C.Mogitha that they belong to Kurumans (ST) Community which is classified as Scheduled Tribe Community by considering their application dated 31.08.2015 received on 01.09.2015 by the respondent herein.

For Petitioner : Mr.Alex Raj for Mr.R.Thamaraiselvan

For Respondent : Mr.P.S.Sivashanmugasundaram,  
Special Government Pleader

ORDER

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

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 praying to issue a Writ of Mandamus to direct the respondent to issue Community Certificate to the petitioner and his children viz., (i)C.Praveen Rajan and (ii)C.Mogitha that they belong to Kurumans (ST) Community by considering his application dated 31.08.2015 which was received on 01.09.2015 by the respondent herein.

3. According to the petitioner, he belongs to Kurumans community, which is notified as Scheduled Tribe Community. On

31.08.2015, he made an application to the respondent for issuance of community certificate to himself as well as to his children viz., (i)C.Praveen Rajan and (ii)C.Mogitha. In support of his claim, he also furnished the copies of the community certificates issued to his brother's son Pawnrasu, co-sister P.Uma and brother's wife Jayavani. On receipt of the said application, the respondent directed the Tahsildar, Pappireddipatti to verify the community status of the petitioner and send a report. Accordingly, the Village Administrative Officer conducted an enquiry. However, till date, no order was passed either granting the community certificate or rejecting the application. Therefore, the petitioner is before this Court with the present writ petition.

4. Heard Mr.Alex Raj, learned counsel representing the counsel for the petitioner and Mr.P.S.Sivashanmugasundaran, learned Special Government Pleader, who accepts notice on behalf of the respondent.

5. Considering the facts and circumstances of the case, we direct the respondent to consider the application dated 31.08.2015 preferred by the petitioner, by verifying the documents produced by him and pass necessary orders regarding issuance of community certificate to the petitioner and his children, on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioner, within a period of one month from the date of receipt of a copy of this order.

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

Sd/-  
Assistant Registrar(CS VI)

//True Copy// सत्यमेव जयते

Sub Assistant Registrar

rk

To

The Revenue Divisional Officer  
Harur, Dharmapuri District.

+1cc to Mr.R.Thamarai Selvan, Advocate, S.R.No.52926  
+1cc to the Government Pleader, S.R.No.53485

W.P.No.32530 of 2016

LRS (CO)  
CA(03/10/2016)