

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.32604 of 2016

M.Thangarani

...Petitioner

Vs.

The Revenue Divisional Officer
Dharmapuri,
Dharmapuri District.

....Respondent

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to issue Community Certificate to the children of the petitioner viz. (i)Dinesh Karthik and (ii)Rithiga that they belong to Kurumans (ST) Community based upon the community certificate already issued to the petitioner and her father and her close blood relative Manirathinam which was verified by the State Level Scrutiny Committee in his proceedings No.6148/CVIII/2012 dated 07.05.2014.

For Petitioner : Mr.S.Doraisamy

For Respondent : Mr.R.Prathapkumar, AGP

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 children of the petitioner viz., (i)Dinesh Karthik and (ii)Rithiga that they belong to Kurumans (ST) Community, based on the community certificates already issued to the petitioner and her father and also based on the verification report of the State Level Scrutiny Committee in its proceedings No.6148/CVIII/2012 dated 07.05.2014 in respect of the petitioner's close blood relative M.Manirathinam.

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

obtained a community certificate on 31.10.1994 from the Revenue Divisional Officer, Dharmapurai stating that she belongs to such community. She is working as a Secondary Grade Teacher in Kuttahalli Panchayat Union School, Dharmapurai. In her service register also, her community was mentioned as such. Her father also obtained a community certificate from the Deputy Tahsildar, Dharmapuri that he belongs to Kurumans (ST) community. On 14.08.2015, she made an application enclosing all the necessary documents, to the respondent for issuance of community certificate to her children viz., (i) Dinesh Karthik and (ii) Rithiga. However, till date, neither any enquiry was conducted nor any 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.S.Doraisamy, learned counsel for the petitioner and Mr.R.Prathapkumar, learned Additional 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 14.08.2015 preferred by the petitioner and verify the aspects as regards the Community Certificates already issued to the petitioner and her father and also her close blood relative M.Manirathinam, which was stated to be verified by State Level Scrutiny Committee by its proceedings No.6148/CVIII/2012 dated 07.05.2014 and pass necessary orders regarding issuance of community certificate to the petitioner's children, in accordance with law, 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/-

Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

To

The Revenue Divisional Officer
Dharmapuri, Dharmapuri District.

+1 cc to Mr.S.Doraisamy, advocate, sr.53026.

rsk(co)
krd 27/9

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