

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.9.2016

CORAM

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

W.P.No.33089 of 2016
and
W.M.P.Nos.28569 & 28570 of 2016

K.Manavalan

Petitioner

Versus

1. The Director,
Directorate of Tribal Welfare,
Chennai-5.
2. The State Level Scrutiny Committee,
rep. by its Chairman and Secretary to
Government,
Adi Dravidar and Tribal Welfare Department,
Fort St. George, Chennai.

Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorari calling for the records of the first respondent in its Na.Ka.No.PaMa/A2/1024/2016 dated 31.8.2016 and quash the same.

For petitioner : Mr.V.Vijay Shankar
For Respondents : Mr.R.Prathapkumar,
Additional Government Pleader

ORDER

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

Heard the learned counsel appearing for the petitioner and Mr.R.Prathapkumar, learned Additional Government Pleader, who is directed to take notice on behalf of the respondent.

2. The writ petition has been filed seeking issuance of a writ of certiorari calling for the records of the first respondent in its Na.Ka.No.PaMa/A2/1024/2016 dated 31.8.2016 and quash the same.

3. The case of the petitioner is that he belongs to Konda Reddi Community (ST) and his communal status was originally pending

verification before the District Level Vigilance Committee and it was later transferred to the State Level Scrutiny Committee which is the competent body, but, when the matter was referred to the Vigilance Cell, a formal enquiry was conducted behind his back based on the report of the Vigilance Cell, the respondent, who has no jurisdiction, has issued the impugned show cause notice and hence, the present writ petition has been filed.

4. In view of the facts and circumstances of the case, the impugned show cause notice is set aside. However, it is for the State Level Scrutiny Committee to proceed from the stage of vigilance report and pass orders within a period of two months from the date of receipt of copy of this order. It is for the petitioner to submit all the necessary documents in this regard to the said authority. The writ petition is allowed in part to the extent indicated above. No costs. The connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssk.

To:

1. The Director,
Directorate of Tribal Welfare,
Chennai-5.
2. The State Level Scrutiny Committee,
rep. by its Chairman and Secretary to
Government,
Adi Dravidar and Tribal Welfare Department,
Fort St. George, Chennai.

+1cc to Mr.V.Vijay Shankar, Advocate, S.R.No.54291
+1cc to Mr.S.V.Ramamurthy, Advocate, S.R.No.53540
+1cc to the Government Pleader, S.R.No.53804

W.P.No.33089 of 2016

mg(co)
pmk.24.10.2016