

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.09.2016

CORAM

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

Writ Petition No.33746 of 2016

R.Manickkam

... Petitioner

Vs.

The State represented by

1. The Village Administrative Officer,
Village Administrative office,
Melkottaiyur, Mambakkam,
Thiruporur Taluk,
Kanchipuram District.
2. The Revenue Inspector,
Revenue Department office,
Mambakkam, Thiruporur Taluk,
Kanchipuram District.
3. The Tahsildar,
Thiruporur Taluk office,
Thiruporur Taluk,
Kanchipuram District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the third respondent to dispose of the petitioner's representation dated 09.09.2016 to issue a community certificate in the petitioner name for registering the petitioner marriage within a time frame as may be fixed by this Court.

For Petitioner : Mr.K.Jayakumar

For Respondents : Mr.K.Dhananjayan,
Special Government Pleader

ORDER

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

With the consent of both the parties, this writ petition is taken up for final disposal at the stage of admission itself.

2. The prayer made in the writ petition is to issue a writ of Mandamus, to direct the third respondent to dispose of the representation of the petitioner dated 09.09.2016 and to issue a community certificate in favour of the petitioner for the purpose of registering his marriage within a time frame as may be fixed by this Court.

3. The case of the petitioner is that he belongs to Hindu - Poyar community, which is notified as a Most Backward Class community. As the petitioner and his father are illiterate, they do not have community certificate to the effect that they belong to Hindu-Poyar community. In the mean while, the petitioner got married with one T.Ponni on 03.09.2016 at Arulmigu Kandasamy Thirukovil Temple, Thiruporur. When he approached the Sub Registrar, Thiruporur for the purpose of registering his marriage, his request was rejected for want of community certificate. Hence, he made a representation dated 09.09.2016 to the respondents requesting to issue a community certificate in his name. Since the said representation was not considered so far, the petitioner has come forward with the present writ petition for the above stated relief.

4. Heard Mr.K.Jayakumar, learned counsel for the petitioner and Mr.K.Dhananjayan, learned Special Government Pleader, who took notice for the respondents.

5. Considering the facts and circumstances of the case, we direct the third respondent to consider the representation dated 09.09.2016 with regard to issuance of community certificate, by verifying the community status of the petitioner 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. The petitioner is at liberty to produce all the documents available to him in support of his claim to the third respondent at the time of enquiry.

6. The writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

rk

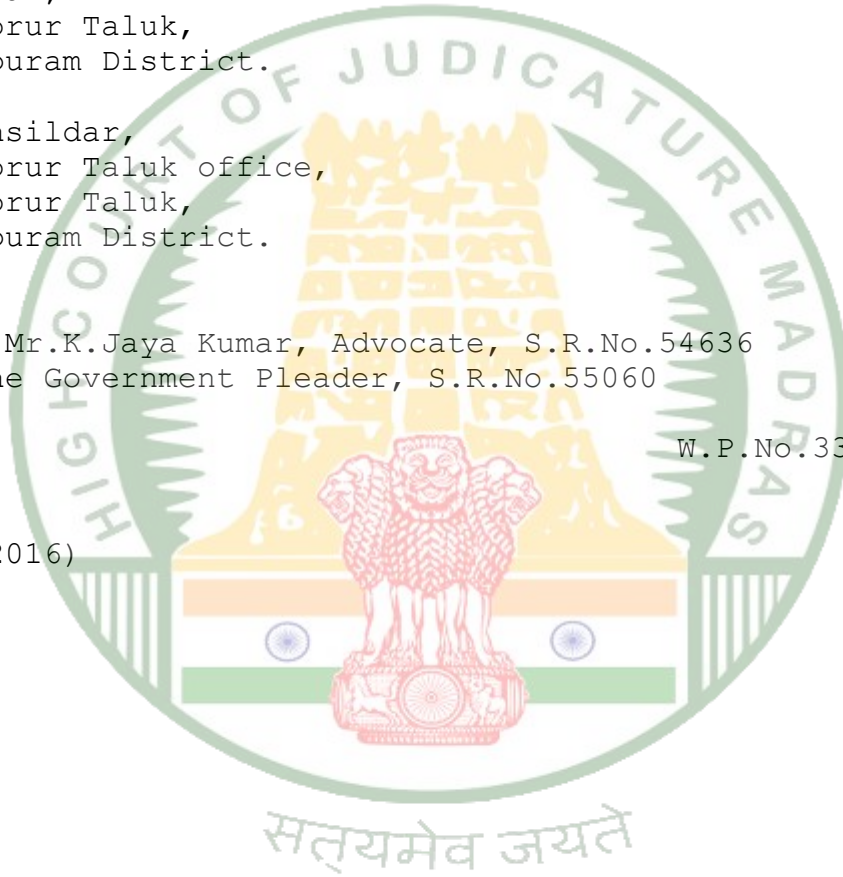
To

1. The Village Administrative Officer,
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Thiruporur Taluk,
Kanchipuram District.
2. The Revenue Inspector,
Revenue Department office,
Mambakkam,
Thiruporur Taluk,
Kanchipuram District.
3. The Tahsildar,
Thiruporur Taluk office,
Thiruporur Taluk,
Kanchipuram District.

+2cc's to Mr.K.Jaya Kumar, Advocate, S.R.No.54636
+1cc to the Government Pleader, S.R.No.55060

W.P.No.33746 of 2016

SSK(CO)
CA(30/09/2016)



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