

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.10.2016

CORAM:

THE HONOURABLE MR. JUSTICE HULUVADI G.RAMESH

AND

THE HONOURABLE MR. JUSTICE V.PARTHIBAN

W.P.No.35786 of 2016
and WMP.No.30738 of 2016

P.A.Karthik

...Petitioner

Vs

1.The District Collector
Thiruvannamalai District

2.The District Revenue Officer
Collector Office
Thiruvannamalai

..Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the respondents to consider the petitioner's representation dated 12.09.2016 and consequently direct the 2nd respondent to issue Scheduled Tribe Community Certificate to the petitioner's child A.K.Dikshith.

For Petitioner :: Mr.N.Subramani
For Respondents :: Mr.R.Prathapkumar
Addl. Govt.Pleader.

ORDER

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

Heard Mr.N.Subramani, learned counsel for the petitioner and Mr.R.Prathapkumar, learned Additional Government Pleader, appearing for the respondents.

2. In the accompanying affidavit, it is stated by the petitioner that he belongs to Hindu-Jogi community and he

married M.Ramya on 01.09.2013, who belongs to Scheduled Tribes-Kurichchan community and obtained inter-caste marriage certificate from Tahsildar, Tiruvannamalai on 11.09.2013. The petitioner further stated as per G.O.Ms.No.477 Social Welfare Department dated 27.06.1975, they applied for Scheduled Tribes Community Certificate for their child A.K.Dikshith and the 2nd respondent, sent a letter dated 09.11.2015, seeking enquiry report regarding community from the Tahsildar, Tiruvannamalai. Thereafter, the 2nd respondent sent a proceedings dated 20.07.2016 to the District Revenue Officer, Mayiladuthurai, seeking to verify the wife's community certificate.

3. The grievance now expressed by the petitioner is that so far, the Tahsildar, Tiruvannamalai, has not made any progress and not taken any necessary action.

4. As per G.O.Ms.No.61 Adi Dravidar and Tribal Welfare (ADW-10) Department dated 04.04.2005, the Revenue Authority of one District would not be competent to issue Scheduled Caste/Scheduled Tribe certificate in respect of persons belonging to another District.

5. In this regard, it is for the petitioner to bring all necessary records from Mayiladuthurai, Nagapattinam District, and produce the same before the respondents/authority at Tiruvannamalai District, who shall after verification, consider the issue of the community certificate and pass necessary orders within two months from the production of necessary records. However, it is made clear that on such production of necessary documents/certificates by the petitioner substantiating his claim, it shall be further verified by the competent authority/revenue authorities, Tiruvannamalai, and shall do the needful.

6. The Writ Petition is disposed of with the above observation. No costs. Consequently, connected WMP.No.30738 of 2016 is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The District Collector
Thiruvannamalai District

2.The District Revenue Officer
Collector Office
Thiruvannamalai

+lcc to Mr. N. Subramani, Advocate, S.R.No.57272
+lcc to the Government Pleader, S.R.No.60186

sm (CO)
md (9/11/2016)

W.P.No.35786 of 2016



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