

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.11.2016

CORAM:

THE HONOURABLE MR. JUSTICE HULUVADI G.RAMESH

AND

THE HONOURABLE MR. JUSTICE V.PARTHIBAN

W.P.No.37800 of 2016

Maduraj ...Petitioner

Vs

1.The District Collector
Dharmapuri District

2.The Revenue Divisional Officer
Dharmapuri ...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the 1st respondent to dispose of appeal dated 05.08.2016 filed by the petitioner for issuance of kurumans S.T.community certificates to his children namely Kamala Kannan and Jothilaxshmi, in the light of Anthropological report dated 18.02.2015.

For Petitioner :: Mr.M.Ravi

For Respondents :: Mr.R.Prathapkumar,
Addl.Govt.Pleader

ORDER

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

Heard Mr.M.Ravi, learned counsel for the petitioner and Mr.R.Prathapkumar, learned Additional Government Pleader, who accepts notice for the respondents.

2. The petitioner applied for Kurumans S.T.community certificate to his children before the 2nd respondent and the 2nd respondent, rejected the petitioner's claim by proceedings dated 10.07.2015, stating that there was no proper document to prove the said claim and at present, the petitioner is not following the Kuruman's culture. As against the said order of the 2nd

respondent/Revenue Divisional Officer, the petitioner filed appeal to the 1st respondent/District Collector and the same is pending.

3. The petitioner sought to contend that the Anthropological report and Ethnographic studies confirm the Kurumans' social and cultural aspects and the 2nd respondent, without following the said report, rejected his claim.

4. The learned counsel for the petitioner submits that his appeal dated 05.08.2016 may be directed to be disposed of by the 1st respondent-District Collector, in the light of Anthropological report dated 18.02.2015.

5. Taking into consideration the submissions made on the side of the petitioner and the rejection order of the 2nd respondent, we deem it fit to pass the following order:-

"It is for the petitioner to approach the District Collector, Dharmapuri, and submit all materials available with him in support of his claim for issuance of the community certificate in respect of his children namely Kamala Kannan and Jothilaxshmi. The 1st respondent-District Collector, Dharmapuri, is directed to consider the materials sought to be produced by the petitioner and the contentions raised in the appeal and pass appropriate orders in accordance with law, within two months from the date of such production of documents. It is open to the petitioner to raise all the contentions before the 1st respondent."

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

Sd/-

सत्यमेव जयते
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

nvsri

To

1.The District Collector,
Dharmapuri District

2.The Revenue Divisional Officer,
Dharmapuri.

+1cc to Mr.M. Ravi, Advocate, S.R.No.62585

+1cc to the Government Pleader, S.R.No.62142

BR(CO)
EU 10.12.16

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