

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.11.2016

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P.No.40391 of 2016

K.Nirmala Devi

Petitioner

Versus

- 1 The District Collector
District Collector Office
Singaravelar Maligai
Chennai-600 001.
 - 2 The Personal Assistant
To the District Collector of Chennai
Chennai-600 001.
 - 3 The District Revenue Officer
Triplicane Taluk Triplicane
Chennai-600 005.
 - 4 The Tahsildar
Triplicane Taluk
Triplicane Chennai-600 005.
- Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing Respondents 1 to 4 to dispose the petitioner's application dated 13.07.2015 & 15.02.2016 pertaining to the issuance of S.T.Hindu Kurumans Community Certificate to the petitioner's son and daughter viz. K.Madhana Gopal and K.Kalaivani.

For petitioner : Mr.P.Murali

For Respondents : Mr.P.S.Sivashanmugasundaram,
Special Government Pleader

ORDER

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

Heard the learned counsel appearing for the petitioner and Mr.P.S.Sivashanmugasundaram, learned Special Government Pleader, who is directed to take notice on behalf of the respondents.

2. The writ petition has been filed seeking issuance of a writ of mandamus directing Respondents 1 to 4 to dispose the petitioner's application dated 13.07.2015 & 15.02.2016 pertaining to the issuance of S.T.Hindu Kurumans Community Certificate to the petitioner's son and daughter viz. K.Madhana Gopal and K.Kalaivani.

3. The case of the petitioner is that she belongs to Hindu Kurumans (ST) community and she had submitted application for issuance of community certificate that her son and daughter belong to Hindu Kurumans (ST) community, which is not considered by the Revenue Divisional Officer, even after the report from the Tahsildar concerned and hence, the present writ petition has been filed. According to the petitioner, the community certificates are very much necessary for education and employment of her son and daughter. The application is said to have been made before the Tahsildar and on the enquiry report from the Tahsildar concerned, the request for issuance of community certificates has been rejected by the Revenue Divisional Officer, Tambaram.

4. It appears that the against the order of the Revenue Divisional Officer, as per the provisions of law, appeal lies and the same is shown to have been filed before the District Collector on 13.7.2015 and 15.2.2016 and the same is pending for consideration.

5. In the circumstances, it is for the petitioner to appear before the first respondent-District Collector and submit a further representation within one month, if not already submitted or otherwise, and in such event, it is for the first respondent-District Collector to do the needful, regarding issuance of community certificates, after proper verification, and after giving due opportunity to the petitioner, on merits and in accordance with law, within a period of two months thereafter. It is for the petitioner to submit all the necessary documents in this regard to the said authority. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

ssk.

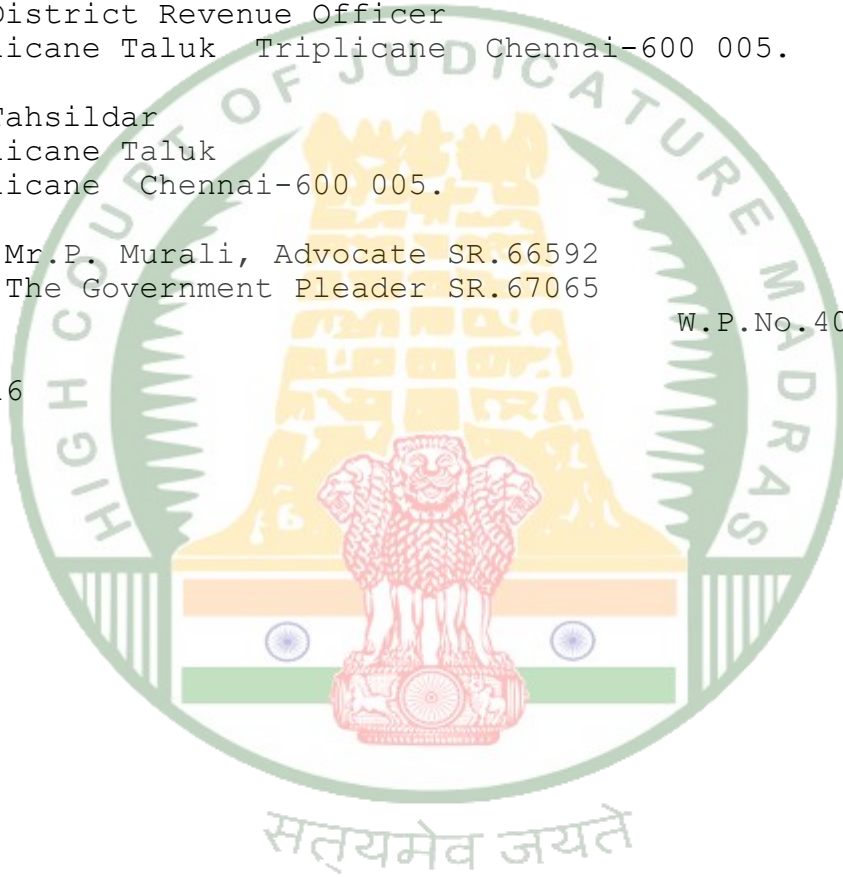
To:

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+ 1 cc to Mr.P. Murali, Advocate SR.66592
+ 1 cc to The Government Pleader SR.67065

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EU 20.12.16



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