

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 25.11.2016

CORAM

THE HON'BLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HON'BLE MR.JUSTICE V.PARTHIBAN

Writ Petition No.41428 of 2016

A.Dhanapal

..Petitioner

Vs

1.State of Tamil Nadu
Rep. By its Secretary to Government
Adi Dravidar and Tribal Welfare Department
Secretariat
Chennai-600 009

2.State Level Scrutiny Committee
Rep. By its Chairman and Secretary to Government
Adi Dravidar and Tribal Welfare Department
Secretariat, Chennai-600 009

3.The Director
Tribal Welfare Department
Chepauk, Chennai-600 005

4.The Deputy Superintendent of Police
SC/ST Vigilance Cell
Chennai Region
Collectorate, Chennai-1

..Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of mandamus directing the respondents 1 and 2 to proceed with the enquiry regarding the genuineness of social status and verification of Malayali (ST) Community Certificate of the petitioner issued by the Revenue Divisional Officer, Kallakurichi, dated 25.01.2006 within the time framed manner.

For petitioner : Mr.V.Elangovan

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

ORDER

(Order made by Huluvadi G.Ramesh,J)

This Writ Petition is filed praying to issue a writ of mandamus directing the respondents 1 and 2 to proceed with the enquiry regarding the genuineness of social status and verification of Malayali (ST) Community Certificate of the petitioner issued by the Revenue Divisional Officer, Kallakurichi, dated 25.01.2006.

2. Mr.R.Prathap Kumar, learned Additional Government Pleader, accepted notice for respondents.

3. According to the petitioner, he belongs to Hindu Malayali community, which is classified as Scheduled Tribe Community and he obtained community certificate from the Revenue Divisional Officer, Kallakurichi on 25.01.2006 and he applied for TNPSC examination under the ST quota and was selected and appointed as a Junior Assistant on 08.10.2014. Further according to the petitioner, after his two years of service, his regularization is still in process due to the fact that the 1st respondent had sent the community certificate to Vigilance Cell for conducting enquiry and for a detailed report.

4. It is submitted by the learned counsel for the petitioner that on verification of community certificate, already the Revenue Divisional Officer, Kallakurichi, conducted enquiry and sent a report to the District Adi Dravidar Tribal Welfare Officer on 09.02.2016. Learned counsel further submitted that necessary directions may be issued to State Level Scrutiny Committee to complete the enquiry regarding verification of Malayali (ST) community certificate.

5. It is seen that the Vigilance Cell had already sent a report to the District Adi Dravidar Tribal Welfare Officer on 09.02.2016, however, no report is said to have been received by the 2nd respondent till date. Hence, based on the vigilance report already sent to the District Adi Dravidar Tribal Welfare Officer on 09.02.2016 and also based on the materials available, it is for the 2nd respondent to conclude the enquiry and pass further proceedings, in respect of the genuineness of the community certificate of the petitioner and forward the same to the 1st respondent and thereafter, the 1st respondent shall pass further orders on regularisation. The above said exercise shall be completed by the respondents 1 and 2 within 2 months from the date of receipt of a copy of this order. Further the 2nd respondent shall also comply with the guidelines stipulated by this court in W.P.Nos.30368 and 31973 of 2015 dated 21.12.2015,

dated 21.12.2015 in the case of G.Venkitasamy Vs. The Chairman,
State Level Scrutiny Committee and Secretary to Government, Adi
Dravidar and Tribal Welfare Department.

6. The Writ Petition is disposed of with the above
direction. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

nvsri

To

1. The Secretary to Government
State of Tamil Nadu
Secretary to Government
Adi Dravidar and Tribal Welfare Department
Secretariat
Chennai-600 009
2. Chairman and Secretary to Government
State Level Scrutiny Committee
Adi Dravidar and Tribal Welfare Department
Secretariat, Chennai-600 009
3. The Director
Tribal Welfare Department
Chepauk, Chennai-600 005
4. The Deputy Superintendent of Police
SC/ST Vigilance Cell
Chennai Region
Collectorate, Chennai-1

+1 cc to Government pleader sr 69687
+1 cc to M/s.S.Doraisamy Advocate sr 69298

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aa22/12/2016