

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2016

CORAM:

THE HONOURABLE MR.JUSTICE M.VENUGOPAL
AND
THE HONOURABLE DR.JUSTICE S.VIMALA

W.P.No.4509 of 2016

Tmt.Jothimani

.. Petitioner

Vs.

The Sub-Collector,
Mettur, Salem District.

.. Respondent

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondent to pass orders on the application of the petitioner, dated 08.09.2015 for the issuance of Community Certificate to the petitioner's children, viz., M.Sivaranjini and M.Kumaran that they belong to Kurumans (ST) Community based upon the Community Certificate already issued to the blood relatives which was verified by the State Level Scrutiny Committee of the petitioner and as per the report of the Kurumans Culture.

For petitioner : Mr.V.Elangovan

For respondent: Mr.P.S.Siva Shanmugha Sundaram,
Spl.G.P.

ORDER

(The Order of the Court was made by M.Venugopal,J)

This Writ Petition has been filed for issuance of a Writ of Mandamus to direct the respondent to pass orders on the application of the petitioner, dated 08.09.2015 for the issuance of Community Certificate to the petitioner's children, viz., M.Sivaranjini and M.Kumaran that they belong to Kurumans (ST) Community based upon the Community Certificate already issued to the blood relatives which was verified by the State Level Scrutiny Committee of the petitioner and as per the report of the Kurumans Culture.

2. Heard both sides.

3. According to the petitioner, she belongs to "Kurumans Community" (ST Community). It is the case of the petitioner that she preferred an application to the respondent on 08.09.2015 for issuance of Community Certificate by enclosing necessary documents like her husband's school records, her children's school records, the Community Certificates and State Level Scrutiny Committee's report of Devi and Kaviyarasan, who are the petitioner's mother's sister's daughter and son and also the cultural report issued by the Director, Adi Dravidar and Tribal Welfare Department.

4. The real grievance of the petitioner is that when once the above said petitioner's close relatives' community status is certified by the State Level Scrutiny Committee that they belonged to "Kurumans Community" (ST Community), the respondent ought to have issued the Community Certificates to the petitioner's children also. Unfortunately, that is not done in this case. It appears that the said application, dated 08.09.2015 of the petitioner, is pending as on date and the same has not been disposed of. As such, the petitioner has been perforced to project the present Writ Petition before this Court.

5. At this stage, this Court, without going into the merits of the matter in issue, simpliciter directs the respondent to look into the said application of the petitioner, dated 08.09.2015 (based upon the Community Certificates already issued to the close relatives of the petitioner, viz., to Devi and Kaviyarasan, which were verified by the State Level Scrutiny Committee) and pass a reasoned and speaking order on merits in a dispassionate manner, after taking into consideration all the relevant attending facts and circumstances of the present case in a conspectus, within a period of four weeks from the date of receipt of a copy of this order. It is abundantly made clear that the respondent shall provide enough opportunity to the petitioner to project her case in support of the said application, dated 08.09.2015.

6. With the above observations and directions, the Writ Petition stands disposed of. No costs.

Sd/-

Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

CS

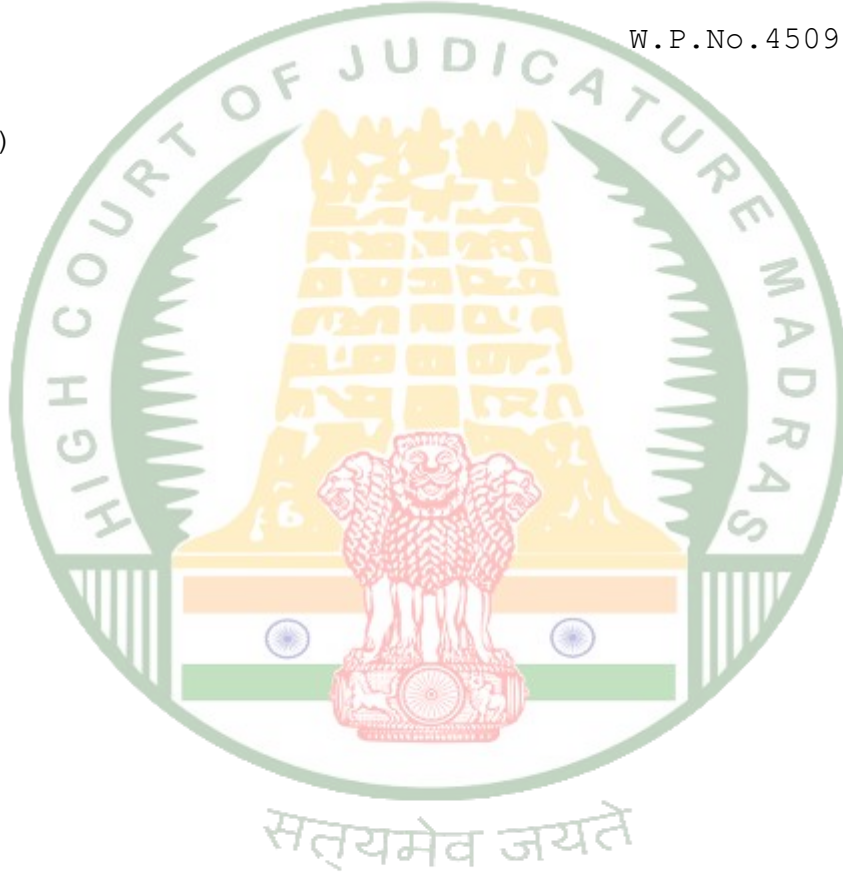
To

The Sub-Collector,
Mettur, Salem District.

1 cc to Government Pleader, Sr. 8245
1 cc to Mr.V. Elangovan, Advocate, Sr. 7720

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