



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P (MD) No.20305 of 2015

M.Murugesan

...Petitioner

Vs.

The Revenue Divisional Officer,
Dindigul District.

...Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondent to issue Malaivedan Community Certificate declared as Scheduled Tribe to the petitioner's son and daughters, namely, Tamil Selvan, Rajathi and Kalai Selvi respectively within the period that may be stipulated by this Court.

For Petitioner

: Mr.M.V.Venkataseshan

For Respondent

: Mr.D.Muruganantham

Additional Government Pleader

ORDER

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

By consent, the writ petition itself is taken up for final disposal.

2. The petitioner would state that he belongs to Hindu - Scheduled Tribe - Malaivedan Community and the Community Certificate to that effect was also issued on 03.02.1984 by the Tahsildar, Nilakkottai and it is yet to be cancelled.

3. The grievance expressed by the petitioner is that though his brother-in-law and his sons as well as his sister-in-law were issued with Hindu - Scheduled Tribe - Malaivedan Community Certificate, despite the application for issuance of the said Community Certificate for his son and daughters, namely, Tamil Selvan, Rajathi and Kalai Selvi, the same has not been issued and therefore, came forward to file this writ petition.

4. Mr.M.V.Venkataseshan, learned Counsel for the petitioner has drawn the attention of this Court to the typed set of documents and would submit that in the light of the overwhelming documents of sterling quality, there cannot be any impediment on the respondent to issue the Community Certificate for the children of the petitioner and therefore, he prays for appropriate orders.



5. Mr.D.Muruganantham, learned Additional Government Pleader appearing for the respondent, on instructions, would submit that appropriate direction may be given to the respondent to consider the application as well as the documents submitted by the petitioner and pass appropriate orders in accordance with law, within the stipulated time.

6. This Court has considered the rival submissions and perused the materials available on record.

7. Though the petitioner prayed for a larger relief, however, in the facts and circumstances of the case and without going into the merits of the case of the petitioner, this Court directs the respondent to consider and dispose of the petitioner's application dated 12.11.2012 on merits and in accordance with law, after providing an opportunity of personal hearing to the petitioner and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner thereafter.

8. Accordingly, this writ petition is disposed of as above. No costs.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar(CS)
Madurai Bench of Madras High Court,
Madurai-23.

To
The Revenue Divisional Officer,
Dindigul District.

+1cc to M/s.M.V.Venкатaseshan, Advocate in SR.68670
+1cc to the Special Government Pleader, in SR.68841

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