



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.19030 of 2016

Subramanian

... Petitioner

Vs

1.The Secretary to Government,
Backward class, most backward class and
Minorities Welfare Department,
Secretariat, Chennai.

2.The District Collector,
Ramanathapuram District,
Ramanathapuram.

3.The Tashildar,
Kamudhi Taluk,
Ramanathapuram District.

4.The Zonal Deputy Tashildar,
Kamudhi Taluk,
Ramanathapuram District.

... Respondents

This Writ Petition is filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the fourth respondent to issue Community Certificate to the petitioner's daughter, namely Veeralakshmi, d/o.Subramanian as Most Backward Class by complying the direction issued by the first respondent vide his letter No.10702/PNaCP/2009-1, dated 02.12.2009.

For Petitioner :Mr.D.Selvanayagam for Mr.K.Seemaraj
For Respondents :Mr.AK.Baskara pandiyan
Special Government Pleader

ORDER

[Order of the Court was made by M.SATHYANARAYANAN, J.]

<https://hcservices.ecourts.gov.in/hcservices/> By consent, this Writ Petition is taken up for final disposal.



2. The petitioner would aver among other things in the affidavit filed in support of this Writ Petition that he belongs to 'Telugupatty Chetty Community' which falls under the category of 'Most Backward Class' and their Community people are eking out their livelihood through agriculture.

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3. The grievance expressed by the petitioner is that though he made an application to the fourth respondent for his daughter, namely Veeralakshmi to issue the said Community Certificate as early as on 18.05.2016, it is yet to be considered by him and therefore, he came forward to file this Writ Petition.

4. Learned Counsel for the petitioner has drawn the attention of this Court to the Letter No.10702/BiNaCiB/2009-1, dated 02.12.2009 issued by the first respondent and would submit that in the said letter guidelines have been issued as to the issuance of Community Certificate to the people belonging to 'Telugupatty Chetty Community' and since the petitioner is having overwhelming documents to the effect that he belongs to such Community, he prays for appropriate orders.

5. Mr.AK.Baskarapandiyan, learned Special Government Pleader would submit that in the light of the guidelines given by the first respondent dated 02.12.2009, the fourth respondent has to consider the application of the petitioner and necessary direction may be issued to the said official.

6. In the light of the submissions made and other facts and circumstances, this Court, without going into the merits of the case, as projected by the petitioner, directs the fourth respondent to consider the application, dated 18.05.2016, for issuance of Community Certificate for his daughter Veeralakshmi, after taking note of the guidelines given in the above cited letter issued by the first respondent and pass appropriate orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order and communicate the decision taken by him to the petitioner, forthwith.

7. This Writ Petition is disposed of, accordingly. No costs.

Sd/
Assistant Registrar(C.O.)

/True Copy/

Sub Assistant Registrar.



To

1.The Secretary to Government,
Backward class, most backward class and
Minorities Welfare Department,
Secretariat, Chennai.

2.The District Collector,
Ramanathapuram District,
Ramanathapuram.

3.The Tashildar,
Kamudhi Taluk,
Ramanathapuram District.

4.The Zonal Deputy Tashildar,
Kamudhi Taluk,
Ramanathapuram District.

+1CC to M/S.K.Seemaraj, Advocate, SR.No. 68533

+1CC to the Special Government Pleader, SR.No. 69282

W.P(MD).No.19030 of 2016

14.11.2016

ssm

AM/SK SKN/SAR-J/21.11.2016/3P/7C