



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 09.11.2016
CORAM:

THE HONOURABLE MR. JUSTICE M. SATHYANARAYANAN
and
THE HONOURABLE MRS. JUSTICE J. NISHA BANU

W.P (MD) No. 21423 of 2016

K. Gurusamy

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by its Secretary,
Adi Dravidar and Tribal Welfare Department,
Fort St. George,
Chennai - 9.

2. The District Collector,
Tirunelveli District,
Tirunelveli.

3. The Tahsildar,
Alangulam Taluk,
Alangulam,
Tirunelveli District.

... Respondents

PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondent No. 3 to issue Community Certificate to petitioner's daughter namely G.V. Kaviya, certifying her as Hindu Baira Community, which is recognized as a Scheduled Caste within the time frame fixed by this Hon'ble Court.

For Petitioner : Mr. M. Sankar

For Respondents : Mr. A. K. Baskarapandian
Special Government Pleader

ORDER

(Judgment of this Court was delivered by M. SATHYANARAYANAN, J.)

By consent this writ petition is taken up for final disposal. The petitioner would state that he belongs to Hindu Scheduled Caste Baira community and he is not educated and his wife also studied up to school level. It is further submitted by the petitioner that he is having a daughter, namely, G.V. Kaviya



and she is studying 7th standard and she is in urgent need of the community certificate. The petitioner claimed that he has already been issued with temporary community certificate by the 3rd respondent on 18.04.2014 and for getting permanent community certificate of his daughter, he submitted an application to the 3rd respondent enclosing all necessary documents and despite acknowledgement followed, so far no order has been passed and therefore, he is constrained to approach this Court by filing this writ petition.

2. Heard the submission of the learned counsel for the petitioner and Mr. Mr. AK. Baskarapandian, learned Special Government Pleader, who accepts notice on behalf of the respondents.

3. Though the petitioner has come up with a larger prayer, this Court In the light of the above facts and circumstances, without going into merits of the claim made by the petitioner, permits the petitioner to submit a reminder to his application for issuance of community certificate dated 25.09.2015, within a period of two weeks from the date of receipt of a copy of this order and upon receipt of the same the 3rd respondent is directed to consider the said reminder along with the application dated 25.09.2015, and dispose of the same on merits and in accordance with law and pass orders within a period of four weeks from the date of receipt of the reminder, after affording opportunity of personal hearing to the petitioner and communicate the decision taken to the petitioner.

4. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

sj

To

1. The Secretary,
Adi Dravidar and Tribal Welfare Department,
State of Tamil Nadu,
Fort St. George,
Chennai - 9.

2. The District Collector,
Tirunelveli District,



3.The Tahsildar,
Alangulam Taluk,
Alangulam,
Tirunelveli District.

+1cc to Spl.Government Pleader Sr.No.67416

+1cc to Mr.M.Sankar Advocate Sr.No. 67116

JAM/23.11.16/PV 3p-6c

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