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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.06.2016

CORAM :

THE HONOURABLE MR.JUSTICE **NOOTY.RAMAMOHANA RAO**
and
THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

Writ Petition (MD) No.9514 of 2016

K.R.Nehru ... Petitioner

-Vs-

1.The Revenue Divisional Officer,
Office of Revenue Divisional Officer,
Tirunelveli.
2.The Tahsildar,
Taluk Office,
Sankarankovil,
Tirunelveli District.
3.The Zonal Deputy Tahsildar – I,
Taluk Office,
Sankarankovil,
Tirunelveli District. ... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents to complete the enquiry and issue community certificate of Hindu Telungupatty Chetty to the petitioner's son Veeramanikandan, based on the recommendation of the first respondent by its letter Na.Ka.No.அ/7/1583/2016, dated 25.04.2016 to second respondent within the period stipulated by this Honourable Court.

For Petitioner : Mr.A.Haja Mohideen
For Respondents : Mr.A.K.Baskarapandian
Special Government Pleader

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ORDER

(Order of the Court was made
by **NOOTY.RAMAMOHANA RAO,J**)

This Writ Petition has been instituted seeking a Writ of Mandamus for directing the respondents to complete the enquiry and issue the necessary Community Certificate that the writ petitioner belongs to Hindu Thelungupattichetty community. The necessity to refer to the facts in great detail is obviated because of the intervention of the learned Special Government Pleader, very rightly, according to us, to bring to our notice that the Tahsildar of Sankarankovil, the second respondent herein, has passed detailed orders on 23rd September, 2014, negativing the claim of the writ petitioner and he has also despatched the said orders by registered post on 29th September, 2014 and that was

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received by the writ petitioner on 30th September, 2014. The learned counsel for the writ petitioner would urge that he has been left with no such instructions from his client and consequently, he will not be able to confirm one way or the other this factual controversy.

2.Be that as it may. Now that the Tahsildar, Sankarankovil, has passed orders on 23rd September, 2014, declining to grant the Certificate in favour of the writ petitioner, it is only appropriate that the writ petitioner could be left with the choice of calling in question the legality and validity of such proceedings by instituting an appropriate writ petition and hence, we refrain from expressing any opinion one way or the other on the tenability or otherwise of the claim made by the writ petitioner and any such issue can be raised in an appropriately instituted writ petition challenging the proceedings dated 23rd September, 2014. In fact, at our request, the learned Special Government Pleader has spared a copy of the proceedings dated 23rd September, 2014 which we have in turn passed on to the learned counsel for the petitioner. With this, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS-I)

/TRUE COPY/

Sub Assistant Registrar

To

1.The Revenue Divisional Officer,
Office of Revenue Divisional Office,
Tirunelveli.

2.The Tahsildar,
Taluk Office, Sankarankovil,
Tirunelveli District.

3.The Zonal Deputy Tahsildar - I,
Taluk Office, Sankarankovil,
Tirunelveli District.

+1cc to Mr.a.Hajamohideen Advocate CC SR.30742
+1cc to M/S.THE SPECIAL GOVERNMENT PLEADER, SR NO: 30849
srm
JA-SK-SKN/24.6.2016/2P-6C

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