

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.04.2017

CORAM

THE HONOURABLE Mr. JUSTICE K.K.SASIDHARAN
AND

THE HONOURABLE Mr. JUSTICE M.V.MURALIDARAN

W.P.No.8158 of 2017

K.Gunasekaran

... Petitioner

Vs.

The Revenue Divisional Officer
Tiruvannamalai
Tiruvannamalai District.

.. Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, to consider and pass orders on the application of the petitioner dated 30.01.2017 and reminder dated 27.02.2017 for the issuance of certificate to the petitioner's children viz., 1. G.Jothimani and 2.G.Vaitheeshwari that they belong to "Kattunayakan (ST) Community" based upon the community certificate already issued to the petitioner's own brother K.Murugesan's daughter Parameshwari.

For Petitioner : Mr.S.Doraisamy

For Respondent : Mr.K.Thananjayan
Special Government Pleader

सत्यमेव जयते
O R D E R

K.K.SASIDHARAN, J.

The petitioner submitted application before the Revenue Divisional Officer, Tiruvannamalai, requesting to issue Community Certificates to his children G.Jothimani and G.Vaitheeshwari, indicating that they belong to "Kattunayakan", which is a notified Schedule Tribe Community. The application was submitted on 30 January 2017. The petitioner sent a reminder on 27 February 2017. Since follow up action was not taken by the Revenue Divisional Officer, the petitioner has come up with this writ petition.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader on behalf of the respondent.

3. The respondent herein is directed to consider and dispose of the application submitted by the petitioner, dated 30 January, 2017 for Community Certificate on merits and as per law. Such exercise shall be completed within a period of three months from the date of receipt of a copy of this order.

4. We make it clear that the direction issued should not be construed to be an expression of opinion on the merits of the matter. In short, the application, should be decided in accordance with law and in the light of the settled legal principles in the matter governing the issuance of Scheduled Tribe Certificate.

4. The writ petition is disposed off with the above direction. No costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

svki

To

The Revenue Divisional Officer
Tiruvannamalai
Tiruvannamalai District.

+lcc to Mr.S. Doraisamy, Advocate Sr. 20762

W.P.No.8158 of 2017

CA(CO)
VR(21/4/2017)

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