

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2017

CORAM

THE HONOURABLE Mr. JUSTICE K.K.SASIDHARAN
AND
THE HONOURABLE Mr. JUSTICE M.V.MURALIDARAN

W.P.No.4152 of 2017

Bharat Petroleum Corporation Limited
No.1, Ranganathan Gardens
Off 11th Main Road, Anna Nagar
Chennai 600 040
Rep. by its Chief Manager (HRS)South ... Petitioner

Vs.

1.Chairman
Tamil Nadu State Level Scrutiny Committee and Secretary
To the Government, Adi Dravidar and Tribal Welfare
Department, Namakkal Kavingar Maligai, Secretariat
Fort St.George, Chennai 600 009

2.The District Collector
Chennai

3.Mr.K.Venkatesan ... Respondents

PRAYER: Writ Petition filed under Article 226 of the
Constitution of India, praying for a Writ of Mandamus,
directing the first respondent to consider the various
representations made by the petitioner the last of which being
dated 04.08.2016 and determine the community status of the
third respondent in a time bound manner.

For Petitioner : Ms.G.Madhri
for M/s.T.S.Gopalan and Co.

For Respondents : Mr.K.Dhananjayan
Spl.Government Pleader for R1 and
R2

Ms.Sumitra for
Mr.W.M.Abdul Majeed for R3

O R D E R

K.K.SASIDHARAN, J.

This writ petition is filed by the employer to direct the
Tamil Nadu State Level Scrutiny Committee to verify the
community status of the third respondent and submit a report.

2. Heard the learned counsel for the petitioner, the learned Special Government Pleader on behalf of the respondents 1 and 2 and the learned counsel for the third respondent.

3. The counter affidavit filed by the first respondent indicates that scrutiny proceedings are pending before the State Level Scrutiny Committee.

4. The Principal Secretary to Government, Adi Dravidar and Tribal Welfare Department, in paragraph 12 of the counter affidavit stated that the matter would be taken up for enquiry after receiving report from the Vigilance Cell.

5. The first respondent is directed to conclude the scrutiny proceedings relating to the community status claimed by the third respondent, as expeditiously as possible, and in any case, within a period of three months from the date of receipt of a copy of this order. It is needless to point that procedure indicated in *Kumari Madhuri Patil v. Additional Commissioner, Tribal Development and others* [(1994) 6 SCC 241] and the related judgment shall be followed and reasonable opportunity should be given to the third respondent to submit his response before passing orders on merits.

6. The writ petition is disposed of with the above direction. No costs.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

To

1.Chairman

Tamil Nadu State Level Scrutiny Committee and Secretary
To the Government, Adi Dravidar and Tribal Welfare
Department, Namakkal Kavingar Maligai, Secretariat
Fort St.George, Chennai 600 009

2.The District Collector
Chennai.

+1 cc to Mr.T.S.Gopalan &Co, advocate,sr.16999
+1 cc to Mr.T.Abdul Majeed,advocate,sr.17074
+1 cc to Govt.Pleader,sr.17349.

sk(co)
krd 3/4

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