

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 12.09.2017

Coram

THE HONOURABLE Mr. JUSTICE M.VENUGOPAL
AND
THE HONOURABLE Mr. JUSTICE P.D.AUDIKESSAVALU

W.P.No.9211 of 2017 &
W.M.P.Nos.10138 & 23774 of 2017

R.Sivakumar .. Petitioner
Vs.

1.The Sub Collector-cum-Revenue Divisional Officer,
Revenue Divisional Office,
Mettur Dam, Salem District - 636 401.

2.Union of India,
Rep. by the Director,
Ministry of Tribal Affairs,
Government of India, Shastri Bhawan,
New Delhi - 110 001. ... Respondents

(R-2 impleaded as per order dated 21.08.2017
in W.M.P.No.23089 of 2017 in W.P.No.9211 of 2017)

Prayer: Writ Petition filed under Article 226 of the
Constitution of India praying for issuance of Writ of
Certiorari/Mandamus to call for the records of the
respondent in Na.Ka.No.3620/2015/T dated 24.02.2017 and quash
the same, consequently direct the first respondent to issue a
community certificate to the petitioner's minor children (1)
S.P.Dhiyaneswaran, (2) S.P.Arunthathika stating that they belong
to Kurumans (Scheduled Tribe) Community.

For Petitioner : Mr.M.Elango

For Respondents : Mr.K.V.Dhanapalan

Special Government Pleader for R1
Mr.Madhanagopala Rao for R2

O R D E R

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

The Learned Counsel for the Petitioner has made an
endorsement in the Writ Petition to the following effect:-

"The Petitioner may be permitted to withdraw this
Writ Petition with liberty to file Appeal before the

District Collector"

2. Recording the aforesaid fact and the endorsement so made, the Petitioner is permitted to withdraw this Writ Petition with liberty to prefer an Appeal before the District Collector, Salem District in terms of G.O.(Ms).No.235, Revenue [RA3(2)] Department, dated 26.06.2015 read with G.O.Ms.No.147, Revenue [RA-3(2)] Department, dated 17.03.2016, within a period of two weeks from the date of receipt of a copy of this order.

3. In the event of filing of an Appeal by the Petitioner within a time adumbrated by this Court, it is needless for this Court to make a pertinent mention that the District Collector, Salem District shall dispose of the said Appeal within a period of eight weeks on merits and in accordance with law, of course, after providing necessary opportunity to the Petitioner and others concerned. Soon after passing of necessary orders on the Appeal, it is made clear that the District Collector, Salem District shall communicate the same to the Petitioner and also send a Report of Compliance to the Registrar (Judicial) of this Court without fail.

4. With the aforesaid endorsement and the observations made, the present Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

r n s

To

1.The Sub Collector-cum-Revenue Divisional Officer,
Revenue Divisional Office,
Mettur Dam,
Salem District - 636 401.

2.The Director,
Union of India,
Ministry of Tribal Affairs,
Government of India, Shastri Bhawan,
New Delhi - 110 001.

Copy to:-

1. The Registrar (Judicial),
Madras High Court,
Chennai.

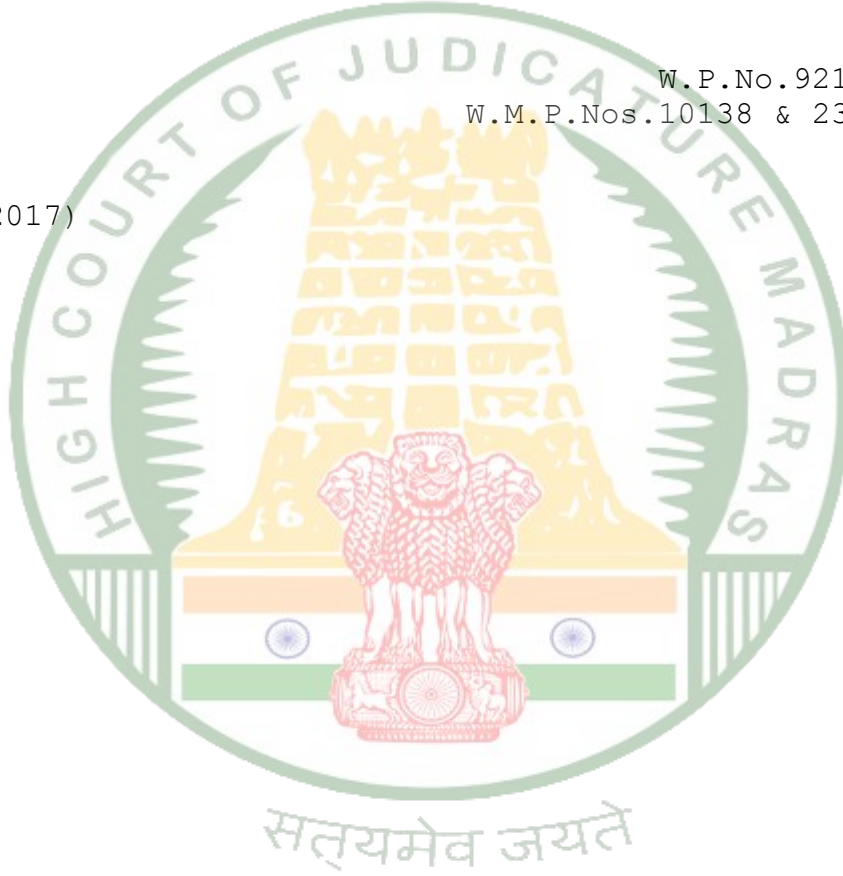
2.The District Collector,
Salem District.

+lcc to Mr.J.Madanagopal Rao, Advocate SR.No.66157

+lcc to Mr.M.Elango, Advocate SR.No.67046 (18/09/2017)

W.P.No.9211 of 2017 &
W.M.P.Nos.10138 & 23774 of 2017

KJI (CO)
GN(15/09/2017)



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