

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.03.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P. No.7424 of 2017

A.Thenmozhi

...Petitioner

Vs

1.The Revenue Divisional Officer,
O/o.Revenue Divisional Office,
Krishnagiri.

2.The Revenue Divisional Officer,
O/o.Revenue Divisional Office,
Dharmapuri District

3. The Revenue Divisional Officer,
Harur,
Dharmapuri District.

...Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of mandamus, directing the respondents to issue ST Malayali Community Certificate for the petitioner's children namely M.Pavithran and Divya Kiruthika by considering the petitioner's representation dated 24.02.2015.

For Petitioner : Mr.S.Kumaresan

For Respondents : Mr.K.Thananjeyam,

Special Government Pleader

O R D E R

K.K.SASIDHARAN, J.

The petitioner, initially, submitted application for Community Certificate before the Revenue Divisional Officer. The application was returned by the Revenue Divisional Officer, on the ground that the jurisdictional Revenue Divisional Officer is the Revenue Divisional Officer at Krishnagiri. The Petitioner, therefore, submitted fresh representation on 24 February 2015 requesting the Revenue Divisional Officer, Krishnagiri to issue a Community Certificate to his children by name, M.Pavithran and Divya Kiruthika. It is the grievance of the petitioner that follow up action was not taken by the

Revenue Divisional Officer. The petitioner is, therefore, before this Court.

2. We have heard the learned counsel for the petitioner and the learned Special Government Pleader on behalf of the respondents.

3. The first respondent is directed to consider and dispose of the representation dated 24 February 2015 submitted by the petitioner for Community Certificate on merits and as per law, 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.

4. We make it clear that this direction is issued on account of the pendency of the application since long and it 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.

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

Sd/-
Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

svki

To

1. The Revenue Divisional Officer,
O/o.Revenue Divisional Office,
Krishnagiri.
2. The Revenue Divisional Officer,
O/o.Revenue Divisional Office,
Dharmapuri District
3. The Revenue Divisional Officer,
Harur,
Dharmapuri District

+2ccs to M/S. S. Kumaresan, Advocate Sr. 18856

+1cc to the Government Pleader, High Court, Madras-104

W.P. No.7424 of 2017

RSK(CO)

VR(11/04/2017)