

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2017

CORAM

THE HONOURABLE Mr. JUSTICE **K.K.SASIDHARAN**

AND

THE HONOURABLE Mr. JUSTICE **M.V.MURALIDARAN**

W.P.No.6466 of 2017

S.T.Kanchana

... Petitioner

Vs.

The Headquarters Deputy Tahsildar,
Kaveripattinam
Kaveripattinam Taluk
Krishnagiri District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondent to consider the petitioner's representation dated 18.11.2016 and take suitable legal action within the stipulated time to be fixed by this Court.

For Petitioner : Mr.C.Munusamy

For Respondent : Mr.K.Thananjayan
Special Government Pleader

O R D E R

K.K.SASIDHARAN, J.

The petitioner earlier made an application before the Headquarters Deputy Tahsildar, Kaveripattinam in the district of Krishnagiri, to issue Community Certificate. The Tahsildar issued a Community Certificate on 12 June 1992 indicating that the petitioner belongs to Chozhia Vellala Community, which is a Backward class. Subsequently, and more particularly, after marriage, the petitioner migrated to Salem. The petitioner obtained Community Certificate to her children during the years 2007 and 2012 indicating that they belong to Hindu Adi Dravidar Community.

2. The petitioner now wanted the Headquarters Deputy Tahsildar, Kaveripattinam to consider her representation and issue a fresh certificate indicating that she belongs to Hindu Adi Dravidar Community.

3. There is no question of directing the Tahsildar to consider the representation of the petitioner, without there being an appropriate application for issuance of community certificate.

3. We give liberty to the petitioner to submit an application before the respondent for issuance of a Community Certificate. If any such application is filed, the same shall be disposed of by the respondent on merits and as per law. Such exercise shall be completed within a period of three months from the date of receipt of application.

4. We make it clear that this direction to consider the application 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 Caste Certificate.

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

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Assistant Registrar

//True copy//

Sub Assistant Registrar

To

The Headquarters Deputy Tahsildar,
Kaveripattinam
Kaveripattinam Taluk
Krishnagiri District.

C.C. to M/S. C.Munusamy Advocate SR.NO.20446

C.C. to The Government Pleader, SR.NO.20570

MSM (CO)
VS 20.04.2017

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