

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.03.2017

CORAM

THE HON'BLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HON'BLE MR.JUSTICE V.PARTHIBAN

W.P.No.22148 of 2014 and
M.P.No.2 of 2014

R.Madhaiyan

...Petitioner

vs.

1.The District Collector,
Dharmapuri District,
Dharmapuri.

2.The Revenue Divisional Officer,
Dharmapuri.

3.The Tahsildar,
Palacode, Palacode Taluk,
Dharmapuri District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Certiorarified Mandamus, calling for the records of the 3rd respondent herein relating to his impugned proceedings in Na.Ka.No.16607/2010 dated 16.05.2011 quash the same and issue consequential directions to the respondents to issue Community Certificate to the petitioner as belonging to "Panniandi" Community which is classified as Scheduled Caste.

For Petitioner : No appearance

For Respondents: Mr.A.N.Thambidurai
Spl.Govt.Pleader.

O R D E R

K.K.SASIDHARAN, J.

The petitioner submitted an application before the Tahsildar, Palacode, for issuing Community Certificate. The Tahsildar, by way of a very brief order rejected the application. Feeling aggrieved, the petitioner is before this Court.

2. None appears for the petitioner. Heard the learned Special Government Pleader on behalf the respondents.

3. The petitioner claimed that he belongs to "Panniandi" which is a Scheduled Caste community and as such, he is entitled to a Community Certificate declaring his community status. The third respondent without conducting proper enquiry and specifying the reasons for rejection, simply stated that the petitioner is not entitled to a Community Certificate.

4. There is no reason, much less justifiable reason indicated in the order dated 16 May 2011, rejecting the application submitted by the petitioner. We are therefore of the view that the matter requires fresh consideration by the third respondent.

5. In the result, the order dated 16 May 2011 is set aside. The matter is remitted to the third respondent for fresh consideration. The third respondent is directed to conduct detailed enquiry with regard to the community status claimed by the petitioner and pass appropriate orders on merits and as per law. Such exercise shall be completed within a period of four months from the date of receipt of a copy of this order.

6. The writ petition is allowed to the extent indicated above. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

svki

To

- 1.The District Collector,
Dharmapuri District,Dharmapuri.
- 2.The Revenue Divisional Officer,
Dharmapuri.
- 3.The Tahsildar,
Palacode, Palacode Taluk,
Dharmapuri District.

+ 1 cc to Government Pleader Sr.13853

W.P.No.22148 of 2014

MP(CO)

EU 14.03.17