

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.05.2017

CORAM:

THE HONOURABLE MR. JUSTICE N.KIRUBAKARAN

W.P.No.12154 of 2017

Shanthi Selvakumar,

... Petitioner

Vs

The Chairman/Secretary,
The Tamil Nadu State Level Scrutiny Committee,
Adi Dravidar and Tribal Welfare Department,
Namakkal Kavingar Maligai, Secretariat,
Chennai - 600 009.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of writ of mandamus directing the Respondent herein to dispose the Revenue Divisional Officer, Thiruttani proceedings in Na.Ka.504/A1 dated 03.02.2016 pursuant to the petitioner representation dated 31.01.2017.

For Petitioner : Mr.V.C.Selvasekaran

For Respondent : Mr.T.M.Pappiah

Special Government Pleader

O R D E R

The petitioner contends that one T.D.Srinivasan belongs to Konthala Reddis or Konthalakulam community, which is a Forward Community [FC]. However, the said T.D.Srinivasan, fraudulently obtained fake Schedule Tribe [ST] Community Certificate and based on which, he participated in the local body elections and elected thrice as Village Panchayat President of Pandravedu Village, Pallipattu Taluk, Tiruvallur District and twice as District Panchayat Ward Member-I in Tiruvallur District. T.D.Srinivasan elder brother's son one T.A.Mahesh, got a fake certificate as if he belongs to Vanniyar Community, which is classified as Most Backward Class [MBC] and he obtained a job as P.G. Assistant-Teacher post in Government Higher Secondary School at Arcotkuppam, Tiruvallur District-631 204 and other family members also got fabricated Scheduled Tribe [ST] Community Certificate and are enjoying the benefits, based on those certificates.

2. In this regard, the petitioner already gave a representation and after enquiry, a report has been sent by the Revenue Divisional Officer on 03.02.2016. Subsequently, the petitioner filed a Writ Petition viz., W.P.No.34642 of 2016 praying for Writ of Mandamus, forbearing the official respondents 2 and 3 therein from allowing the said T.D. Srinivasan to contest for District Panchayat Ward Member-I, Thiruvallur and to reject the fourth respondent nomination form. The said writ petition was disposed on 07.12.2016 with a liberty to the petitioner to make representation to the State Level Scrutiny Committee represented by its Chairman and Secretary to Government, Adidraavidar and Tribal Welfare Department, the respondent herein.

3. Pursuant to the direction issued by this Court on 07.12.2016 in W.P.No.34642 of 2016, the petitioner made a representation on 19.12.2016. Thereafter, again the petitioner made a representation on 31.01.2017 to the respondent. So far the said representations have not been considered. Hence, the petitioner came before this Court.

4. Heard, the learned counsel for the petitioner and Mr.T.M.Pappiah, learned Special Government Pleader, who takes notice on behalf of the respondent.

5. Taking into consideration the limited scope of the writ petition and also taking into consideration the earlier orders passed by this Court in W.P.No.34642 of 2016 dated 07.12.2016 and the report of the Revenue Divisional Officer dated 03.02.2016, the respondent is directed to consider the petitioner's representation dated 31.01.2017, after giving opportunity to the said T.D.Srinivasan, on his own merits as per law, within a period of six weeks from the date of receipt of a copy of this order.

6. This Writ Petition is disposed of with above direction. No costs. For compliance call after six weeks.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

rsi/bri

To

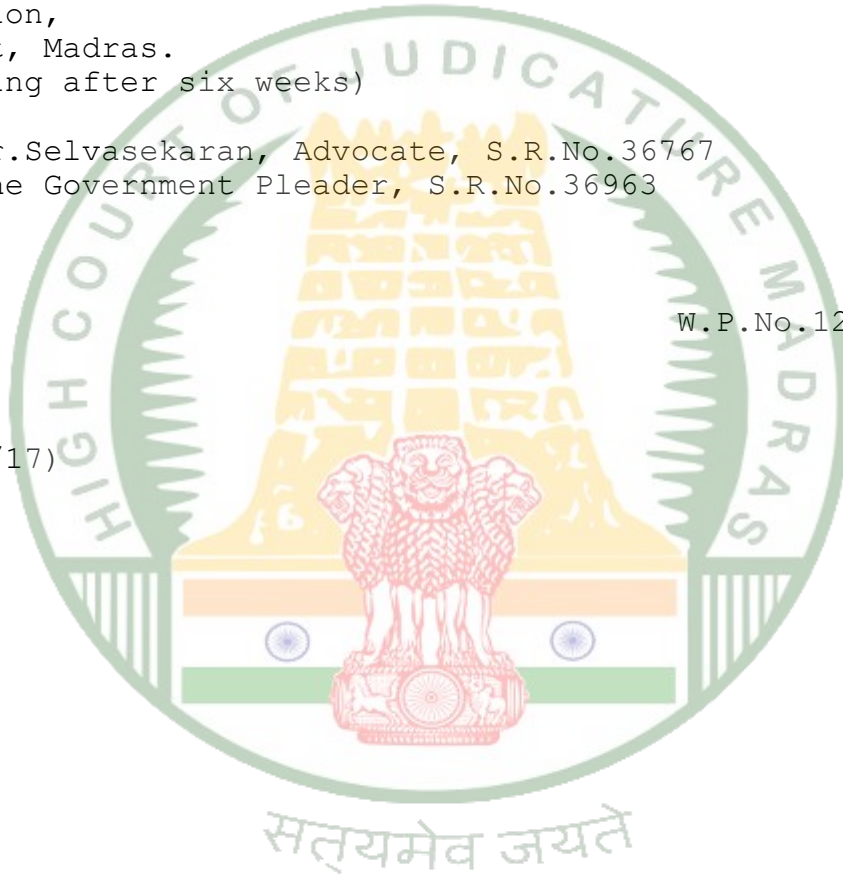
1.The Chairman/Secretary,
The Tamil Nadu State Level Scrutiny Committee,
Adi Dravidar and Tribal Welfare Department,
Namakkal Kavingar Maligai, Secretariat,
Chennai - 600 009.

2. The Section Officer,
Writ Section,
High Court, Madras.
(for posting after six weeks)

+lcc to Mr.Selvasekaran, Advocate, S.R.No.36767
+lcc to the Government Pleader, S.R.No.36963

W.P.No.12154 of 2017

skv(co)
rmp(11/05/17)



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