

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:11.08.2017

Coram

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

W.P.No.21604 of 2017

Deepa .. Petitioner  
Vs.

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

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus by directing the Respondent to consider the representation of the Petitioner dated 08.06.2017 for issuance of Kurumans S.T.Community Certificate to her children, namely, Tamilni and Menmozei based on her Kurumans S.T. Community Certificate.

For Petitioner : Mr.M.Ravi

For Respondent : Mr.K.V.Dhanapalan  
Special Government Pleader

ORDER

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

Heard both sides. By consent, the main Writ Petition itself is taken up for final disposal.

2. The limited prayer sought for by the Petitioner in the present Writ Petition is for passing of an Order by this Court in directing the Respondent / R.D.O., Harur, Dharmapuri District to consider her representation dated 08.06.2017 for issuance of 'Kurumans S.T.Community Certificate' to her children, namely, Tamilni and Menmozei based on her 'Kurumans S.T. Community Certificate'.

3. The Petitioner, takes a categorical stand in the Writ Petition that her blood relatives had also obtained 'Kurumans Certificate' and the genuineness of the same was verified and in short, she had applied for 'Kurumans S.T. Community Certificate' to her two children, namely, Tamilni and Menmozei on 08.06.2017 before the Respondent. Further, the Petitioner refers to Circular of the Commissioner of Revenue Administration Bearing

No.Va.nI.5(3)/2958/2011 whereby and whereunder it was insisted upon that the Community Certificate must be issued within a week and if enquiry is needed, only 15 days would be enough. But, according to the Petitioner, this Circular is not followed by the Respondent.

4.At this stage, the Learned Special Government Pleader appearing for the Respondent / R.D.O., Harur, Dharmapuri brings it to the notice of this Court that the Representation of the Petitioner dated 08.06.2017 is under active consideration at the hands of the Respondent / R.D.O., Harur, Dharmapuri and prays for four weeks time to dispose of the representation of the Petitioner as aforesaid.

5. In view of the aforesaid submissions of the Learned Special Government Pleader appearing for the Respondent and also considering the limited nature of relief sought for by the Petitioner in the present Writ Petition, this Court, simpliciter directs the Respondent to consider the representation of the Petitioner for issuance of Community Certificate to her two children, viz., Tamilini and Menmozei based on her 'Kurumans ST Community Certificate' within a period of four weeks from the date of receipt of a copy of this order. It cannot be gainsaid that the Respondent shall pass a reasoned speaking order on merits, in a fair, just, impartial, unbiased manner and that too with an open mind, of course, after providing due opportunity to the Petitioner and others concerned in the subject matter in issue. It is open to the Petitioner to raise all factual and legal pleas before the Respondent and that the Respondent shall provide adequate opportunity to the Petitioner to adduce oral evidence by examining relevant witnesses and to file necessary documents, if any. Soon after disposal of the representation of the Petitioner dated 08.06.2017 within the time adumbrated by this Court, the Respondent shall send a compliance report by addressing a communication to the Registrar (Judicial) of this Court without fail.

With the aforesaid directions, this Writ Petition is disposed of. No costs.

Sd/-  
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

ssd

To

1. The Revenue Divisional Officer,  
Harur, Dharmapuri District.
2. The Registrar (Judicial)  
High Court, Madras.

+ 1 cc to Government pleader SR.58532  
+ 1 cc to Mr. M. Ravi, Advocate SR.58069

W.P.No.21604 of 2017

SVI (CO)  
Eu 30.08.1



WEB COPY