

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2017

CORAM:

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

W.P.No.2282 of 2017 and

WMP No.2249 of 2017

M.Manivannan

...Petitioner

vs.

1.Union of India,
Rep. by the Chief Secretary to Government,
Chief Secretariat, Pondicherry.

2.The Under Secretary to Government,
(DP & AR - Exam)
Chief Secretariat, Pondicherry.

3.The District Collector,
Collectorate, Karaikal.

4.The Tahsildar,
Taluk Office, Karaikal.

5.Saranya

...Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus, directing the respondents to issue a Backward Tribe Community Certificate to the petitioner on the basis of his representation dated 02.12.2016.

For Petitioner : Mr.S.Giritharan

For Respondents: Mr.C.T.Ramesh
Additional Govt.Pleader for R1 to R4

For Respondent5: No Appearance

O R D E R

K.K.SASIDHARAN, J.

The petitioner claiming himself to be a Backward Tribe submitted an application before the Deputy Tahsildar, Karaikal for issuance of a Community Certificate. According to the

petitioner, instead of issuing a Backward Tribe Certificate, the Deputy Tahsildar wrongly issued a Community Certificate indicating that he belongs to Scheduled Caste. The petitioner therefore submitted a representation to the Tahsildar requesting him to recall the certificate dated 24 March 2010 and issue a fresh Community Certificate indicating that he belongs to Backward Tribe. Since the said representation was not considered by the Tahsildar, the petitioner is before this Court.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader on behalf of the Government of Puducherry.

3. The factual matrix indicates that the Deputy Tahsildar, Karaikal issued a Community Certificate to the petitioner indicating that he belongs to Scheduled Caste. It is the case of the petitioner that he actually belongs to a Backward Tribe and as such, the authority was not correct in issuing certificate describing him as a person belonging to Scheduled Caste community.

4. The petitioner has produced a copy of the representation dated 18.11.2016 submitted to the Deputy Tahsildar at Karaikal. There is nothing on record to indicate that the said representation was considered by the Deputy Tahsildar.

5. We give liberty to the petitioner to make a fresh representation to the Deputy Tahsildar, Karaikal to redress the grievance. In case, any such representation is given, the same shall be considered and disposed of by the Deputy Tahsildar, Karaikal, on merits as expeditiously as possible and in any case, within a period of six weeks thereafter.

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

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

svki

To

1.The Chief Secretary to Government,
Union of India,
Chief Secretariat, Pondicherry.

2.The Under Secretary to Government,
(DP & AR - Exam)
Chief Secretariat, Pondicherry.

3.The District Collector,
Collectorate, Karaikal.

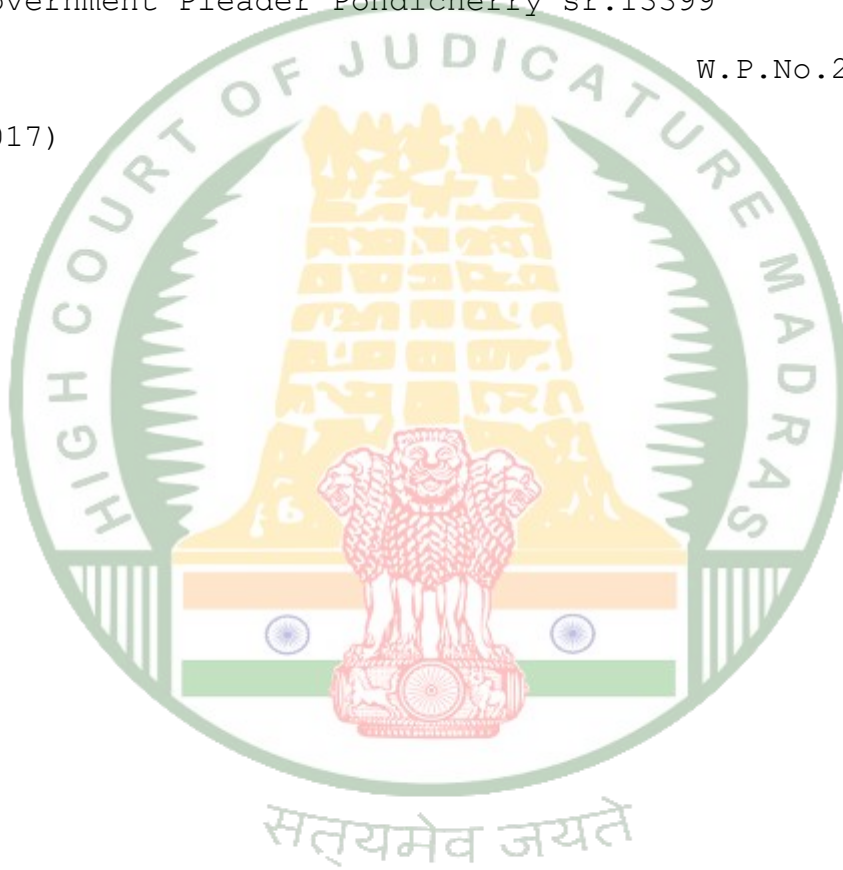
4.The Tahsildar,
Taluk Office, Karaikal.

+1cc to Mr.S.Giritharan,Advocate sr.13148

+1cc to Government Pleader Pondicherry sr.13399

W.P.No.2282 of 2017

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