

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2017

CORAM:

THE HONOURABLE MR.JUSTICE C.T.SELVAM
AND
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P.No.33723 of 2017

G.Babu

... Petitioner

- Vs -

- 1.The District Collector,
Vellore District,
Vellore.
- 2.The Revenue Divisional Officer,
Tirupattur,
Vellore District.
- 3.The Tahsildar,
Tirupattur Taluk Office,
Tirupattur, Vellore District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to consider his representation dated 08.02.2016 and issue Hindu Kattu Nayakan Community Certificate to his son and daughter namely B.Sanjeev and B.I.Harishmitha Kothai.

For Petitioner : Mr.C.Mariappan

For Respondents : Mr.S.N.Parthasarathy,
Government Advocate.

ORDER

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

This writ petition seeks issuance of a Writ of Mandamus, to direct the second respondent to consider his representation dated 08.02.2016 and issue Hindu Kattu Nayakan Community Certificate to his son and daughter namely B.Sanjeev and B.I.Harishmitha Kothai.

2. The case of the petitioner is that he made representations dated 25.09.2015 and 01.11.2015 to the second respondent herein, requesting to issue Community Certificates to his children stating that they belong to "Kattu Nayakan Community", which is classified as "Schedule Tribe".

3. Since there was no response to the said representations, the petitioner submitted his petition to the second respondent on "grievance day" i.e., 08.02.2016. Thereafter, the second respondent forwarded the said petition to the Village Administrative Officer, Jolarpettai for conducting enquiry. Upon receiving the petition, the Village Administrative Officer at Jolarpettai conducted an enquiry in and around of his residence and submitted his detailed report to the third respondent on 10.09.2016 stating that the petitioner's children belong to Hindu Kattu Nayakan Community. The second respondent has also recommended to the third respondent that the Community Certificate of the petitioner's children should be given as Hindu Kattu Nayakan Community. Though the petitioner submitted all the legal documents to prove his community, he could not receive the Community Certificates for his children. Once again the petitioner made a representation before the first respondent/District Collector, Vellore on 11.08.2017. As no action was taken on his representation, the present writ petition has been filed by the petitioner.

4. Taking into facts and circumstances of the case, this Court, without going into the merits of the case, directs the second respondent to consider the petitioner's representation dated 08.02.2016, conduct enquiry and pass appropriate orders and dispose of the said representation, on merits and in accordance with law, within a period of three months from the date of receipt of a copy this order, after giving due opportunity to the petitioner.

5. With the above directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CO)

//True copy//

Sub Assistant Registrar

kmi

To:

1.The District Collector,
Vellore District,
Vellore.

2.The Revenue Divisional Officer,
Tirupattur,
Vellore District.

3.The Tahsildar,
Tirupattur Taluk Office,
Tirupattur, Vellore District.

+1cc to Mr.C.Mariappan, Advocate SR.No.91819
+1cc to Government Pleader SR.No.92473

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LRS (CO)
GN(19/01/2018)



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