

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.32722 of 2015

A.G.Jayavelu

...Petitioner

vs.

1.The Revenue Divisional Officer,
Tambaram,
Kancheepuram District
2.Vivekananda Vidyalaya
Higher Secondary School,
Chrompet,
Chennai - 600 044
Rep by its principal

...Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Certiorarified Mandamus, calling for the records relating to the impugned proceedings issued by the 1st respondent in Ni.Mu.3389/2011/E dated 09.06.2015 and to quash the same and consequently directing the 1st respondent to issue ST Kondareddis Community Certificate in favour of the children of the Petitioner viz., A.J.M. Kabilanbharathi and J.Sidharthan based on the ST community Certificate issued in favour of the Petitioner dated 25.02.1982 and other relevant documents produced based on the application pending from 03.01.2007 and 24.11.2009 onwards and consequently direct the second respondent to alter the entry of caste in the Transfer Certificate dated 14.05.2015 issued in favour of petitioner's son A.J.M.Kabilanbharathi.

For Petitioner : Mr.G.Sankaran

For Respondents: Mr.A.N.Thambidurai
Special Govt.Pleader for R1
Mr.R.Rajesh Vivekananthan for R2

O R D E R

K.K. SASIDHARAN.J

The challenge in this writ petition is to the order dated 9 June 2015, whereby and where under, the Revenue Divisional Officer, Tambaram, directed the petitioner to approach the

revenue authorities in the district of Tiruvallur to obtain Community Certificate.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader on behalf of the first respondent.

3. The petitioner initially obtained a Community Certificate from the Tahsildar, Pallipet in the district of Tiruvallur. Subsequently, and more particularly, after the formation of district of Kancheepuram, the petitioner shifted his residence.

4. The petitioner submitted application before the Revenue Divisional Officer, Tambaram, requesting to issue a Community Certificate to his children. The Revenue Divisional Officer found that the petitioner originally belongs to the district of Tiruvallur and as such, the authority in the district of Tiruvallur alone is the competent authority to issue the Community Certificate. The said order is under challenge before us.

5. The petitioner obtained Community Certificate from Tahsildar, Pallipet, indicating that he belongs to Kondareddis Community. There is no question of directing the Revenue Divisional Officer at Tambaram, to issue the certificate taking into account the migration of the petitioner. The petitioner originally resided within the jurisdiction of Tahsildar, Pallipet. The remedy open to him therefore is to approach only the said authority.

6. The Revenue Divisional Officer, Tambaram made it very clear that the petitioner is a native of Tiruvallur and as such, certificate should be obtained from the authority in the district of Tiruvallur. We do not find any error or illegality in the said order calling for interference. The petitioner, without any justifiable reason, approached this Court and wasted considerable judicial time. We are therefore constrained to dismiss the writ petition.

7. In the up shot, we dismiss the writ petition. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

svki

To

The Revenue Divisional Officer,
Tambaram,
Kancheepuram District.

+1cc to Mr.G. Sankaran, Advocate, S.R.No.13831

+1cc to Mr.R.Rajesh Vivekananthan , Advocate, S.R.No.13659

+1cc to the Government Pleader, S.R.No.13858

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