

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2017

CORAM

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

W.P.No.19543 of 2017

S.Sathiyavathi

... Petitioner

Vs.

The Revenue Divisional Officer,
Krishnagiri,
Krishnagiri District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus in directing the respondent to issue Community Certificate to the Petitioner and her children viz., S.Kamali and S.Kalanidhi that they belong to Kurumans (ST) Community based upon the Community Certificate already issued to the Petitioner's blood relatives.

For Petitioner : Mr.S.Doraisamy

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

O R D E R

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

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

2. According to the Petitioner, she belongs to 'Kurumans Community, which is a Scheduled Tribe Community'. She had not obtained any Community Certificate because of the reason that it was not required for her, at the relevant point of time. However, in all her school records, her Community is entered as 'Kurumans Scheduled Tribe Community'.

3. It is the plea of the Petitioner that she had applied for the issuance of Community Certificate before the Respondent in respect of her children, one son and one daughter, namely,

S.Kamali and S.Kalanidhi on on 06.04.2016 and enclosed seven documents beginning from hedr School Records and the Family Card.

4. The grievance of the Petitioner is that inspite of the reminder being sent to the Respondent on 08.05.2017 requesting for issuance of 'Community Certificate' to her and in favour of her children, the said Certificate till date have not been issued by the Respondent, hence she has filed the present Writ Petition.

5. Considering the fact that the Petitioner has preferred an Application before the Respondent on 06.04.2016, praying for issuance of Community Certificate in her favour and her children, and also sent a reminder on 08.05.2017, this Court taking note of the fact that the certificate in question have not been issued by the Respondent, at this stage, without going into the merits of the matter and also not expressing any opinion about the same, simplicitor directs the Respondent / Revenue Divisional Officer, Krishnagiri District to look into the Application of the Petitioner dated 06.04.2016 and subsequent Reminder Application dated 08.05.2017 and to dispose of the said application within a period of two weeks from the date of receipt of copy of this Order. It is open to the Respondent to provide an enough opportunity to the Petitioner while passing a reasoned speaking order adverting to all the points raised in regard to the request for issuance of Community Certificate to the Petitioner in her favour and also in favour of her children. Also, it is made clear that the Petitioner shall co-operate with the Respondent / the Revenue Divisional Officer, Krishnagiri, Krishnagiri District and the Respondent will take all earnest efforts to dispose of the Application dated 06.04.2016 and the Reminder Application dated 08.05.2017 within the time prescribed by this Court. Soon after disposal of the Application of the Petitioner dated 06.04.2016 and the subsequent Reminder Application dated 08.05.2017 within the time adumbrated by this Court as aforesaid, the Respondent / the Revenue Divisional Officer, Krishnagiri District shall send a compliance report addressed to the Registrar Judicial of this Court without fail.

With the aforesaid observation(s), this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

ssd

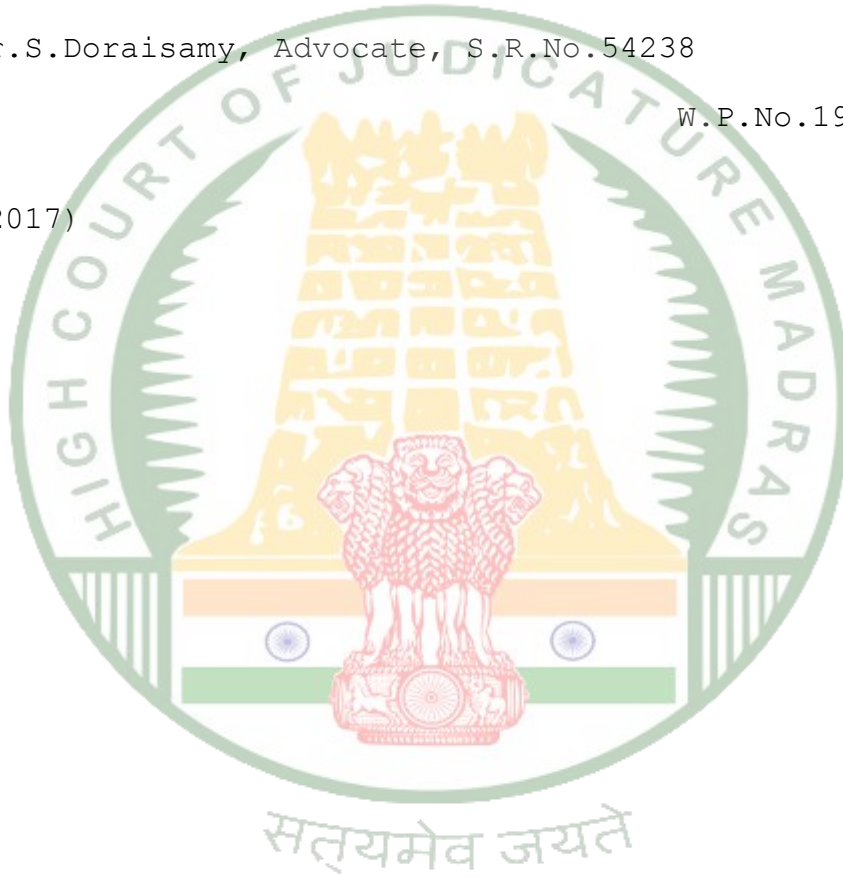
To

1. The Revenue Divisional Officer,
Krishnagiri,
Krishnagiri District.
2. The Registrar Judicial
High Court, Madras
(for favour of information and
necessary follow up action)

+1cc to Mr.S.Doraisamy, Advocate, S.R.No.54238

W.P.No.19543 of 2017

RV(CO)
CA(02/08/2017)



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