

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.09.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.11803 of 2004

C.Dhandapani

.. Petitioner

Vs.

1. Revenue Divisional Officer,
Tirukoilore & Tk,
Villupuram District.

2. The Tahsildhar,
Taluk Office,
Thirukoilore & Tk,
Villupuram District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records in and by the proceedings Na.Ka.Ah-2/7739/2003, dated 29.12.2003 and quash the proceedings of the first respondent's order as illegal, incompetent and without jurisdiction and consequently to direct the second respondent to issue "Irular Caste Community Certificate of Scheduled Tribe" to the petitioner within the time bound manner as this Court may deem fit and proper in the circumstances of the case.

For Petitioner : Mr.A.Thamizarasan

For Respondents : Mr.Akhil Akbar Ali,
Government Advocate

ORDER

Learned Government Advocate appearing for the respondents has fairly submitted that the issue involved in this Writ Petition is covered by a decision of the Supreme Court reported in AIR 1995 SC 94 = 1994 (6) SCC 241 (Kumari Madhuri Patil Vs. Additional Commissioner), which has been subsequently clarified by the Supreme Court in the decision reported in 1997 (5) SCC 437 (Kumari Madhuri Patil Vs. Addl. Commnr., Tribal Development). This Court, taking note of the fact that the impugned order is passed by a single member with regard to issuance of the Community Certificate, the same is set aside, as the same has got to be decided only by a Committee consisting of more than one member, more particularly, in the light of the said decisions of the Supreme Court. In view of the

above judgments of the Supreme Court, the Writ Petition is allowed.
No costs.

-sd/-

Assistant Registrar

/ TRUE COPY /

Sub-Assistant Registrar

CS

To:

1. Revenue Divisional Officer,
Tirukoilore & Tk,
Villupuram District.
2. The Tahsildhar,
Taluk Office,
Thirukoilore & Tk,
Villupuram District.

+1 cc to MR.A.THAMIZHARASAN Advocate SR.NO. 66887

+1 cc to Government pleader SR.NO. 67561

W.P.No.11803 of 2004

mn[co]
RD 24/10/2017

सत्यमेव जयते

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