

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.04.2017

CORAM :

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

THE HON'BLE MR.JUSTICE M.V.MURALIDARAN

W.P.No.34413 of 2016

S.Anand

... Petitioner

vs.

1.The Director of School Education
College Road, Nungambakkam, Chennai.

2.The Principal
KSR College of Engineering
KSR Kalvi Nagar, Tiruchengodu.

3.The Principal
Maruthi Higher Secondary School
Attur Taluk, Salem District.

4.The Principal
Vetri Vikas Higher Secondary School
Rasipuram, Namakkal District.

5.The Zonal Deputy Tahsildar
Attur Taluk, Salem District.

... Respondents

[R-5 suo motu impleaded as per order dt.13.03.2017]

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, directing the respondents 1 to 4 to consider the petitioner's representation dated 11.07.2016 in the light of the decision laid down in (1996) 3 SCC 545 and correct the community as Nathamar belongs to Backward Class instead of Jangam belongs to the Most Backward Class in the transfer certificate maintained by all the respondents herein.

For Petitioner: Mr.A.Rajakumar

For R1 & R5 : Mr.A.Kumar
Special Government Pleader

For R2 : Mr.K.S.Jayaganesan

For R3 & R4 : Served No Appearance

O R D E R

K.K. SASIDHARAN, J.

The petitioner filed this writ petition to direct the respondents 1 to 4 to correct his community as Nathamar, which is a Backward Community, instead of the present status as Most Backward Community.

2. The learned counsel for the petitioner made an endorsement indicating that he is withdrawing the writ petition with liberty to make a fresh application before the Zonal Deputy Tahsildar, Salem, to issue a Certificate indicating that he belongs to Nathamar Community, which is a notified Backward Class Community.

3. We make it clear that in case an application is made by the petitioner for Community Certificate, the same shall be considered and disposed of by the fifth respondent on merits and as per law, notwithstanding the Certificate issued earlier indicating that he belongs to Most Backward Community. Such exercise shall be completed within a period of two months from the date of receipt of the application.

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

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

1.The Director of School Education
College Road, Nungambakkam, Chennai.

2.The Zonal Deputy Tahsildar
Attur Taluk, Salem District.

+1cc to Mr.K.S.Jeyaganeshan, Advocate Sr.22006
+1cc to Mr.A.Rajakumar, Advocate Sr.22033
+1cc to the Government Pleader Sr.22303

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