



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 07.09.2017

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.[MD].No.13738 of 2017

and

W.M.P(MD)No.10722 of 2017

M.Vijayakumari

:Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Revenue Divisional Officer,
Madurai.
District Collector Campus,
Madurai.

3.The Revenue Divisional Officer,
Nagapattinam.

4.The Tamil Nadu Public Service Commission,
Rep. By its Secretary,
VOC Nagar,
Park Town,
Chennai-3.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the fourth respondent to accept the Community Certificate of the petitioner dated 03.07.2009 issued by RDO Nagapattinam for all the purposes as valid one and further by directing the second respondent to issue community certificate in favour of petitioner as Hindu, Kattunayakkan in terms of proceedings of the third respondent made in Na.Ka.No.1075/2017/A5 dated 21.03.2017 and further direct the 4th Respondent to keep one post of Assistant in the recruitment to the post of combined Civil Services examination Group II A 2014-2015 and 2015-2016 batch.

For Petitioner

: Mr.R.Murali

For R1 to R3

: Mr.M.Murugan

Govt. Advocate

: Mr.K.K.Senthil



O R D E R

[Order of the Court was delivered by **M.M.SUNDRESH, J.**]

The writ petition pertains to the status of the petitioner as Schedule Tribes (Kattunayakkan Community). The fourth respondent has directed the petitioner to get the community certificate standing in the name of her father. Since there is difficulty in getting the same, the present writ petition has been filed.

2. According to the petitioner, he is a resident of Nagapattinam and his father was living in Madurai and therefore, despite the communication sent by the Revenue Divisional Officer, Nagapattinam, the Revenue Divisional Officer, Madurai is not able to furnish the same in the name of her father.

3. The main issue sought to be raised may not be gone into, since as per the statement of fourth respondent, all the vacancies under ST community were already filled with eligible candidates in the recruitment and no vacancy under ST Community could be kept vacant and therefore, the exercise will be academic.

4. However, considering such vacancy might arise in the future and taking note of the communication of the third respondent, dated 21.03.2017 to the second respondent, in pursuant to the same another memo sent to the Tahsildar, Madurai North in Na.Ka.No.1439/2017/L, dated 30.03.2017, the second respondent is directed to pass appropriate orders in pursuant to the communication, dated 21.03.2017, within a period of eight weeks from the date of receipt of a copy of this order.

5. The writ petition stands disposed of accordingly. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar (AD-II)

/True Copy/

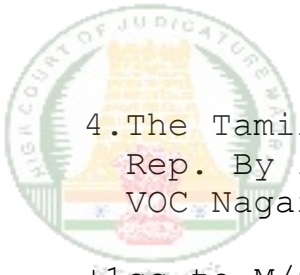
Sub Assistant Registrar

To

1. The District Collector, Madurai District, Madurai.

2. The Revenue Divisional Officer,
Madurai.
District Collector Campus, Madurai.

3. The Revenue Divisional Officer, Nagapattinam.



4.The Tamil Nadu Public Service Commission,
Rep. By its Secretary,
VOC Nagar, Park Town, Chennai-3.

+1cc to M/S.M.SURESH KUMAR, Advocate SR.No.77431
+1cc to M/S.K.K.SENTHIL, Advocate SR.No.77436
+1cc to Special Government Pleader, SR.No. 77713

AM

MAS/KK/SAR1:25.09.2017:3P-8C

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