



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.08.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
AND
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.[MD].No.16254 of 2017

and

W.M.P(MD) No.12926 of 2017

B.Muthulakshmi

: Petitioner

Vs.

1.The District Collector,
Thirunelveli District.

2.The Revenue Divisional Officer,
Thirunelveli Division,
Thirunelveli District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the record pertaining to the impugned order passed by the second respondent in his proceedings in ~~MD.No.16254/2017~~ dated 08.10.2016, quash the same and consequently direct the second respondent to issue the Hindu Kattunayakkan Community Certificate (Scheduled Tribe) to the petitioner's two daughters namely 1.B.Padma Priya, 2.B.Deepa Priya.

For Petitioner : Mr.V.Palanichamy

For Respondents : Mr.M.Murugan
Government Advocate

O R D E R

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

By consent, the writ petition itself is taken up for final disposal.

2.When the matter is taken up for hearing, the learned Government Advocate made a preliminary objection stating that the alternative remedy is available before the District Level Committee namely the first respondent.



3. We find that the objection will have to be sustained as it has consideration would involved factual issues. The number of witnesses may also to be required to be examined.

4. In such view of the matter, this writ petition is disposed of with liberty to the petitioner to challenge the order of the second respondent before the first respondent. As and when the same is received by the first respondent, the first respondent shall dispose of the same within a period of eight weeks from the date of receipt of

a copy of this order. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Records)

/True Copy/

Sub-Assistant Registrar

To

1. The District Collector,
Thirunelveli District.

2. The Revenue Divisional Officer,
Thirunelveli Division,
Thirunelveli District.

+One cc to M/s.V.Palanichamy, Advocate, SR.No.75011

+One cc to The Special Government Pleader, SR.No.75379

am/cp

RL/5C/2P/GT/SAR1/11/9/2017

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