



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED 13.10.2017

CORAM

THE HONOURABLE MR.JUSTICE **K.KALYANASUNDARAM**

AND

WEB COPY THE HONOURABLE MRS.JUSTICE **V.BHAVANI SUBBAROYAN**

W.P.(MD)No.19281 of 2017

1.Deepu Bharath Mohan

2.Vethika Mohan

.. petitioners

Vs.

1. The District Collector,
Kanyakumari District at
Nagercoil.

2. The Tahsildar,
Vilavancode Taluk,
Kanyakumari District.

..Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the second respondent to issue Hindu-Cheramar Community Certificate to the petitioners, namely, (1) M.Deepu Bharath Mohan and (2) M.Vethika Mohan or their application dated 05.07.2017, within the time frame fixed by this Court.

For Petitioners : Ms.J.Anandhavalli

For Respondents : Mr.C.Selvaraj S.G.P.,

ORDER

[Order of the Court was delivered by **K.KALYANASUNDARAM, J**]

The petitioner seeks for issuance of a Writ of Mandamus directing the second respondent to issue Hindu-Cheramar Community Certificate to the petitioners, namely, (1) M.Deepu Bharath Mohan and (2) M.Vethika Mohan or their application, dated 05.07.2017.

2.Ms.J.Anandhavalli, learned counsel appearing for the petitioner would submit that the petitioners are sister and brother and they have been making application to the respondents since 2013 for issuance of community certificate. Despite the same, no action was taken, hence, the present writ petition.



3.Mr.C.Selvaraj, learned Special Government Pleader appearing for the respondents would submit that the Revenue Divisional Officer, Nagercoil, is the competent authority to consider the application of the petitioners, but he is not made as a party in the writ petition.

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4.The learned counsel appearing for the petitioner submitted that though the second respondent is not the competent authority, he already conducted an enquiry based on the representation of the petitioners, which can be utilized to avoid further delay.

5.Taking note of the above submission, the petitioners are directed to give a fresh representation to the Revenue Divisional Officer, Nagercoil, enclosing a copy of this order, within a period of two weeks from the date of receipt of a copy of this order. On such compliance, the Revenue Divisional Officer, Nagercoil, is directed to consider the same and pass appropriate orders on merits and in accordance with law, within a period of eight weeks therefrom.

With the above direction, this writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Kanyakumari District at
Nagercoil.
2. The Tahsildar,
Vilavancode Taluk,
Kanyakumari District.
3. The Revenue Divisional Officer,
Nagercoil,

+1cc to Ms.J.Anandhavalli, Advocate Sr.No.82834
+1cc to Spl.Government Pleader Sr.No.83046

SKN
VB/KP/SAR2/07/11/2017/2P/6C