



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 23.02.2017
CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBBIAH
AND
THE HONOURABLE MRS.JUSTICE J.NISHA BANU**

W.P.[MD].No.3114 of 2017

M.Suresh

: Petitioner

Vs.

1. The State Rep by
The Secretary,
Adi-Dravidar & Tribal Welfare Department,
St.Fort.George, Chennai 9.
2. The District Collector,
Collectorate Campus, Madurai District.
3. The Revenue Divisional Officer,
Madurai Division, Madurai.
4. The Tahsildar,
Madurai West Taluk, Madurai District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the third respondent to issue scheduled tribe community certificate by mentioning caste name as "Malaivedan" to the petitioner's three sons, namely, Balaji, Ajith, Muthu Erulan, based on the petitioner's representation dated 31.01.2017, within a stipulated time.

For Petitioner : Mr.S.Karthick Subramanian

For Respondents : Mr.N.S.Karthikeyan
Additional Government Pleader

O R D E R

[Order of the Court was made by **R.SUBBIAH, J.**]

This Writ Petition has been filed to issue a Writ of Mandamus directing the third respondent to issue schedule tribe community certificate by mentioning caste name as "Malaivedan" to the petitioner's three sons, namely, Balaji, Ajith and Muthu Erulan, based on his representation dated 31.01.2017, within a stipulated time.



2. Today, when the Writ Petition is taken up for consideration, it is submitted by the learned counsel appearing for the petitioner that after filing this Writ Petition the application of the petitioner seeking to issue community certificate to his sons was rejected by the third respondent on 22.02.2017 and the petitioner is having an alternative remedy of filing an appeal before the District Collector, Madurai, the second respondent herein.

3. In view of the above, the Writ Petition is disposed of giving liberty to the petitioner to file an appeal before the District Collector, Madurai, the second respondent herein, within a period of four weeks from the date of receipt of a copy of this order. On receipt of such an appeal, the second respondent is directed to consider the same and pass appropriate orders on merits and in accordance with law, within a period of six weeks thereafter. No costs.

Sd/
Assistant Registrar(CS I)

/TRUE COPY/

Sub Assistant Registrar

To

1. The State Rep by
The Secretary,
Adi-Dravidar & Tribal Welfare Department,
St.Fort.George, Chennai 9.
2. The District Collector,
Collectorate Campus, Madurai District.
3. The Revenue Divisional Officer,
Madurai Division, Madurai.
4. The Tahsildar,
Madurai West Taluk, Madurai District.

+1cc to M/s.KARTHICK SUBARAMANIAN, Advocate, in SR No.10235
+1cc to Special Government Pleader SR.No. 10519

NB

MS SV MMS SAR2 03.03.2017 2P 7C

ORDER MADE IN
W.P. [MD].No.3114 of 2017
23.02.2017