



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.03.2017

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBBIAH
AND**

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P. [MD].No.3772 of 2017

A.Ganesan : Petitioner
Vs.

1.The District Collector,
District Level Vigilance Committee,
Thoothukudi District, Thoothukudi.

2.The Revenue Divisional Officer,
Thoothukudi Division, Thoothukudi District. : Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second respondent to issue Hindu Kattunakkayan Community Certificate [Schedule Tribe] to the petitioner's children, namely, Suriya studying in 7th Standard and Durga studying in 8th standard at Sri Muthumalai Amman Government Higher Secondary School, Siruthondanallur, Srivaikundam Taluk, Thoothukudi District, by considering the petitioner's representation dated 24.07.2015.

For Petitioner : Mr.A.Robinson
For Respondents : Mr.VR.Shanmuganathan
Special Government Pleader

O R D E R

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

The present Writ Petition has been filed seeking a Writ of Mandamus directing the second respondent to issue Hindu Kattunakkayan Community Certificate [Schedule Tribe] to the petitioner's children, namely, Suriya studying in 7th Standard and Durga studying in 8th standard at Sri Muthumalai Amman Government Higher Secondary School, Siruthondanallur, Srivaikundam Taluk, Thoothukudi District, by considering his representation dated 24.07.2015.

2. The case of the petitioner is that he belongs to Hindu Kattu Navakan Community and his two children namely Suriya and Durga are studying Seventh and Eighth Standard at Sri Muthumalai Amman Government Higher Secondary School, Siruthondanallur, Srivaikundam Taluk, Thoothukudi District. The petitioner was issued with community certificate on 14.06.1990, certifying that he belongs to



Hindu Kattunakkayan Community. The petitioner has made a representation to the first and second respondents on 24.07.2015 to issue Hindu Kattu Nayakan Community Certificate to his children and the respondents have acknowledged the same on 27.07.2015. But, the respondents have not taken any action in this regard, in spite of the fact that the petitioner visited the office of the Second respondent for several times. Under the above stated circumstances, the petitioner has come forward with this writ petition.

3. We have heard the learned counsel for the petitioner, as well as the learned Special Government Pleader for the respondents and we have also gone through the materials available on record.

4. Considering the limited scope of the prayer sought for by the petitioner and without expressing any opinion on the merits of the claim made by the petitioner, the second respondent is directed to consider the representation of the petitioner dated 24.07.2015 and pass appropriate orders on merits and in accordance with law, after affording sufficient opportunity to the petitioner, within a period of four weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion on the merits of the claim made by the petitioner and it is for the second respondent to decide the issue independently.

5. The Writ petition is disposed of on the above terms. No costs.

Sd/-

Assistant Registrar

/TRUE COPY/

Sub Assistant Registrar

To

1.The District Collector,
District Level Vigilance Committee,
Thoothukudi District, Thoothukudi.

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

+1 cc to M/R.A.ROBINSON, Advocate, SR.NO:12340
+1 cc to SPECIAL GOVERNMENT PLEADER, SR.NO:12643

NB

SVA/MR/15.03.2017/2P/5C