



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.3885 of 2017

S.M.A.Gandhimathinathan

.. Petitioner

Vs.

1. State rep by its
Secretary to Govt of Tamil Nadu
for Adi Dravidar and Tribal Welfare,
Secretariat, Fort Saint George,
Chennai - 600 009.

2. The District Collector,
Collectorate,
Tuticorin District,
Tuticorin.

3. The Sub Collector,
Sub Collector Office,
Tuticorin.

4. The Tahsildar,
Taluk Office,
Srivaikundam,
Tuticorin District.

5.K.Gandhi
6.Dineshkumar
7.Kannan
8.Partheeban
9.Prakash

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 1 to 4 respondents to initiate appropriate actions to cancel the bogus Community Certificates issued to the respondents 5 to 7 and not to issue further permanent Community Certificates to the Thootianayakan-Rajakambalam Community as Hindu Kattunayakan Community coming under Scheduled Tribes on the petitioner's petition dated 27.12.2014.



WEB COPY

For Petitioner

: Mr.S.Radhakrishnan

For Respondent/s

: Mr.T.S.Mohammed Mohideen,
Additional Government Pleader
for RR.1 to 4

No Appearance for RR.5 to 9

ORDER

[Order of the Court was made by **K.K.SASIDHARAN, J.**]

The petitioner filed this writ petition to direct the respondents 1 to 4 to cancel the community certificates issued to the respondents 5 to 9 by the competent authority.

2. There is no question of considering the representation submitted by the petitioner for cancellation of community certificates issued by the competent authority, in as much as, the certificates were issued only after conducting enquiry. It is always open to the concerned authority to refer the matter to the State Level Scrutiny Committee, in case, there are materials with them, to suspect the genuineness of the certificates issued to the respondents 5 to 9. Since the materials produced by the petitioner are not sufficient to give such a direction, we do not find any reason to entertain this writ petition.

3. In the result, the writ petition is dismissed. However, we make it clear that this order would not stand in the way of the appropriate authority from taking action against the concerned respondents relating to the community certificates. No costs.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The Secretary to Govt of Tamil Nadu
for Adi Dravidar and Tribal Welfare,
Secretariat, Fort Saint George,
Chennai - 600 009.

2. The District Collector,
Collectorate,
Tuticorin District,



3. The Sub Collector,
Sub Collector Office,
Tuticorin.

4. The Tahsildar,
Taluk Office,
Srivaikundam,
Tuticorin District.

+1cc to The Spl.Government Pleader Sr.No.66592

+1cc to Ms. Kalayarasi Bharathi, Advocate Sr.No.66206

SMN/GK

VB/KP/SAR2/02/08/2017/3P/7C

ORDER MADE IN
W.P (MD) No.3885 of 2017
18.07.2017