



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.03.2017

CORAM:

**THE HONOURABLE MR.HULUVADI G.RAMESH,
ACTING CHIEF JUSTICE**

AND

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.(MD) .No.4241 of 2017

and

W.M.P(MD)No.3381 of 2017

S.Senthil Kumar

: Petitioner

Vs.

1.The Revenue Divisional Officer,
Tenkasi, Tirunelveli District.

2.The Revenue Divisional Officer,
Trichirappalli.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the second respondent dated 14.09.2016 in Na.Ka.A5/1256/2065 and consequently, direct the second respondent to conduct enquiry and to issue community certificate of Hindu Malaikuravar [Schedule Tribe Community] to the petitioner's daughters, namely, Keerthika, Sushmitha, and Deepika.

For Petitioner : Mr.V.Sasikumar

For Respondents : Mr.S.Chandrasekar
Government Advocate

O R D E R

[Order of the Court was made by

The Hon'ble The Acting Chief Justice]

Heard the learned counsel for the petitioner and Mr.S.Chandrasekar, learned Government Advocate, who takes notice for the respondents.

2. Challenge in this Writ Petition is to the order dated 14.09.2016, passed by the second respondent and for a consequential direction to the second respondent to conduct enquiry and to issue community certificates to the daughters of the petitioner, namely, Keerthika, Sushmitha, and Deepika, recognizing that they belong to Hindu Malaikuravar [Schedule Tribe



Community].

3. The case of the petitioner is that he belongs to Hindu Malai Kuravar Community, which is recognized as a scheduled tribe community. Seeking to issue community certificate, the petitioner applied before the second respondent and accordingly, he was issued with community certificate, on 16.06.2003. Thereafter, the petitioner migrated along with his family to Tirunelveli District and settled at Puliyanakudi. On 09.07.2012, the petitioner applied before the first respondent seeking to issue community certificates to his daughters, namely, Keerthika, Sushmitha, and Deepika. However, the first respondent, by his proceedings dated 26.06.2014, directed the petitioner to approach the second respondent herein for issuance of community certificate. Aggrieved over the same, the petitioner filed W.P.(MD).No.18544 of 2014, which was dismissed on 18.03.2016, directing the petitioner to approach the second respondent herein, as directed by the first respondent. Thereafter, the petitioner approached the second respondent seeking to issue community certificates to his daughters. However, the second respondent, by way of impugned proceedings, dated 14.09.2016, directed the petitioner to approach the first respondent and make an application for the grant of community certificate. Under the said circumstances, the petitioner has come forward with the present Writ Petition, for the relief stated supra.

4. It is the submission of the learned counsel for the petitioner that the petitioner is an origin of Tirunelveli District and he obtained community certificate from the second respondent on 16.06.2003 and thus, the second respondent has to conduct necessary enquiry and pass appropriate orders regarding issuance of community certificates to his daughters.

5. Considering the above, the petitioner is directed to submit a detailed representation, along with all the relevant documents, including the document relating to place of birth of the petitioner and his daughters and also the community certificate already issued to him and on receipt of the same, it is for the second respondent to consider the same and pass appropriate orders, on merits and in accordance with law, within a period of three months from the date of receipt of representation from the petitioner.

6. The Writ Petition is disposed of on the above terms. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-III)

/True copy/



To

1.The Revenue Divisional Officer,
Tenkasi, Tirunelveli District.

2.The Revenue Divisional Officer,
Trichirappalli.

+1 CC to M/s.V.SASIKUMAR, Advocate, SR No. 14562

NB

PSM/SKN/28.03.2017/3P/4C

ORDER MADE IN
W.P. (MD) .No.4241 of 2017
and
W.M.P (MD) No.3381 of 2017
14.03.2017