



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.03.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.[MD].No.5286 of 2017

V.Balammal, : Petitioner

Vs.

1.The District Collector,
O/o. The District Collector,
Korampallam,
Tuticorin and another.

2.The Tahsildar,
O/o.The District Collector,
Korampallam, Tuticorin.

: 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 a Community Certificate as Hindu-Pallan to the petitioner on the basis of her representation dated 13.10.2016.

For Petitioner : Mr.B.N.Rajamohamed

For Respondents : Mr.V.Muruganandham
Additional Government Pleader

O R D E R

[Order of the Court was made by T.S.SIVAGNANAM, J.]

Heard Mr.B.N.Rajamohamed, learned counsel appearing for the petitioner and Mr.V.Muruganandham, learned Additional Government Pleader, who accepts notice for the respondents. By consent, the Writ Petition is taken up for final disposal at the stage of admission itself.

2. The case of the petitioner is that she belongs to Hindu-Pallan, which is recognized as a Scheduled Caste Community. The petitioner submitted a representation before the second respondent seeking issuance of community certificate stating that she belongs to Hindu-Pallan community. The petitioner stated



that her son has been issued with community certificate and in SSLC School Certificate issued to her husband - Mr.S.Sudalai, his community has been mentioned as Hindu-Pallan Schedule Caste Community. However, the second respondent has pointed out that the petitioner belongs to Christian.

WEB COPY

3. The learned counsel for the petitioner submits that all through her life, the petitioner was Hindu and she was given in marriage to one Mr.S.Sudalai, who belongs to Hindu Pallan schedule caste community and though she is aged about 69 years, she is in need of community certificate for the purpose of getting certain benefits from the Government. It is also submitted that the second respondent orally informed the petitioner that the community certificate as sought for by the petitioner cannot be granted, because her SSLC certificate shows that she is a Christian.

4. The learned Additional Government Pleader pointed out that the application seeking issuance of community certificate can be made only through online and if the same is made, furnishing all the relevant details, the same will be considered in accordance with law.

5. In the light of the above factual position, while declining to issue any positive direction at this juncture, liberty is granted to the petitioner to make an application to the second respondent in proper format, furnishing all the relevant details and if such an application is made, the second respondent is directed to consider the same and pass appropriate orders on merits and in accordance with law, after conducting an enquiry and after affording opportunity of personal hearing to the petitioner, within a period of twelve weeks from the date of receipt of a copy of this order.

6. The Writ Petition is disposed of on the above terms. No costs.

Sd/-

Assistant Registrar(Writs)

/True Copy/

Sub-Assistant Registrar

To

1.The District Collector, O/o. The District Collector,
Korampallam, Tuticorin

2.The Tahsildar, O/o.The District Collector,
Korampallam, Tuticorin.

+One cc to Mr.B.N.Raja Mohammed, Advocate, SR.No.17878

+One cc to The Special Government Pleader, SR.No.18373

NB