



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.04.2017**

CORAM:

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

W.P.[MD].No.6059 of 2017

Murugan

: Petitioner

Vs.

- 1.State of Tamil Nadu,
State Level Scrutiny Committee,
Rep by its Chairman and Secretary to Government,
Adi-Dravidar and Tribal Welfare Department,
Secretariat, Chennai 600 009.
 - 2.The Member Secretary,
State Level Scrutiny Committee
and Director of Tribal Welfare of State Government,
Chepauk, Chennai 600 005.
 - 3.The District Collector cum the Chairman,
District Level Vigilance Committee,
Adi-Dravidar and Tribal Welfare Department,
Tirunelveli District.
 - 4.The Revenue Divisional Officer,
Cheranmahadevi Post & Taluk,
Tirunelveli District.
 - 5.The Tahsildar,
Radhapuram Post and Taluk,
Tirunelveli District.
- : Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records of the third and fourth respondents in ~~GP.~~ (912) 7719/2010, dated 11.01.2011 and ~~GP.~~(254) 32807/2011, dated 23.06.2011 and quash the same as illegal and arbitrary and consequently direct the fourth respondent to issue the community certificate to the petitioner's children as Hindu Kattunayakan community notified as Schedule Tribes Caste [ST], in the light of G.O.Ms.No.106, Adi-Dravidar and Tribal Welfare [CV-I] Department, dated 19.10.2012 in accordance with law at once.



For Petitioner

: Mr.M.Mahendran

For Respondents

: Mr.VR.Shanmuganathan
Special Government Pleader

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O R D E R

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

Heard Mr.M.Mahendran, learned counsel for the petitioner and Mr.VR.Shanmuganathan, learned Special Government Pleader, who accepts notice for the respondents. By consent, the Writ Petition itself is taken up for final disposal at the stage of admission.

2. The petitioner seeks to quash the proceedings issued by the third and fourth respondents dated 11.01.2011 and 23.06.2011. As rightly pointed out by the learned Special Government Pleader appearing for the respondents, the petitioner has not explained as to why he has approached this Court, after a lapse of nearly seven years. Therefore, at this distant point of time, we are not inclined to quash the impugned proceedings. It is stated that the petitioner is an illiterate person and therefore, he has not well versed with the procedure and now he requires community certificates for his children recognizing that they belong to Hindu Kattunayakan community.

3. In the light of the above, the Writ Petition stands disposed of, directing the petitioner to submit an application in a proper format before the fourth respondent along with a copy of this order and if such an application is submitted, the fourth respondent shall 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 application from the petitioner No costs.

Sd/-

Assistant Registrar(CSI)

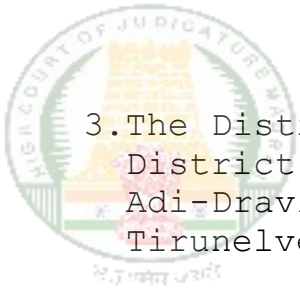
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Sub-Assistant Registrar

To

1.State of Tamil Nadu,
State Level Scrutiny Committee,
Rep by its Chairman and Secretary to Government,
Adi-Dravidar and Tribal Welfare Department,
Secretariat, Chennai 600 009.

2.The Member Secretary,
State Level Scrutiny Committee
and Director of Tribal Welfare of State Government,
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3.The District Collector cum the Chairman,
District Level Vigilance Committee,
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Tirunelveli District.

4.The Revenue Divisional Officer,
Cheranmahadevi Post & Taluk,
Tirunelveli District.

5.The Tahsildar,
Radhapuram Post and Taluk,
Tirunelveli District.

+1 CC TO MR.M.MAHENDRAN,ADVOCATE,SR NO.50574

+1 CC TO SPECIAL GOVERNMENT PLEADER SR NO.51246

NB

MAS/SKN-RSK:18.07.2017:3P-8C

ORDER MADE IN
W.P.[MD].No.6059 of 2017
06.04.2017