



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2017

CORAM:

WEB COPY

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

W.P. (MD) No.7668 of 2017

S.Babu : Petitioner

Vs.

1.The District Collector,
Tirunelveli District, Tirunelveli.

2.The Tahsildhar, Ambasamudram Taluk,
Ambasamudram,
Tirunelveli District.

3.The Tahsildhar,
Srivilliputhur Taluk,
Srivilliputhur,
Viruthunagar District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the first respondent to consider and pass orders in the petitioner's appeal dated 05.10.2016, preferred under G.O.Ms.No.235 Revenue (RA3(2) dated 26.06.2015, for issuance of community certificate of his son within a stipulated period as fixed by this Court.

For Petitioner : Mr.P.Subbiah

For Respondent : Mr.V.Murugananthan
Additional Government Pleader

ORDER

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

Heard the learned Counsel appearing for the petitioner and the learned Additional Government Pleader, who accepts notice for the respondents.



2. By consent, the writ petition is taken up for final disposal at the stage of admission itself.

3. The petitioner applied for issuance of community certificate stating that he belongs to Isai Vellalar Community - Most Backward Community. As per the current procedure, the application has to be filed in the form of e-application. The petitioner submitted his first application on 16.07.2015, which was returned on the ground that the proof of community certificate of his parents is not enclosed. Thereafter, the petitioner submitted a representation to the second respondent and thereafter represented the e-application and that was once again returned by stating that the petitioner has not scanned the community certificate of his mother and that his father's native place is Virudhunagar District and from field inspection, the petitioner belongs to Saiva Vellalar.

4. The petitioner's contention is that his mother and his father did not have the community certificate and as on now, they are residing in Tirunelveli District. Therefore, in terms of the procedure stipulated in G.O.Ms.No.235 Revenue (RA3(2)), dated 26.06.2015, as the District Collector is the grievance redressal Officer, the petitioner submitted an appeal before the first respondent on 05.10.2016 and sent the same through registered post with acknowledge due and from the postal endorsement, it is seen that the said letter has been received by the office of the District Collector on 07.10.2016.

5. In the light of the same, without expressing any opinion on the petitioner's entitlement to get the community certificate as claimed by him, we direct the first respondent to consider the petitioner's appeal petition dated 05.10.2016 and pass orders on the same on merits and in accordance with law within a period of three weeks from the date of receipt of a copy of this order.

6. With the above observations, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CSI)

/True Copy/

Sub-Assistant Registrar

To

1. The District Collector, Tirunelveli District, Tirunelveli.

2. The Tahsildhar, Ambasamudram Taluk, Ambasamudram, Tirunelveli District.

3. The Tahsildhar, Srivilliputhur Taluk, Srivilliputhur, Virudhunagar District.

+One cc to Mr.P.Subbiah, Advocate, SR.No.53856

+One cc to The Special Government Pleader, SR.No.54252

<https://hcservices.mca.gov.in/hcservices/>

RL/6C/2P/RR/4.5.2017

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