



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.01.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH
AND
THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P.[MD].No.817 of 2017

M.Kannan : Petitioner

Vs.

1.The District Collector,
Thanjavur District,
Thanjavur.

2.The Revenue Divisional Officer,
Thanjavur,
Thanjavur District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent herein to dispose of the appeal preferred by the petitioner dated 01.02.2016 filed against the order passed by the second respondent dated 07.01.2016, within a time frame stipulated by this Court.

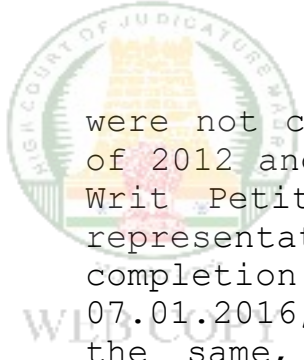
For Petitioner : Mr.R.Vijayakumar
For Respondents : Mr.VR.Shanmuganathan,
Special Government Pleader

O R D E R

[Order of the Court was made by R.SUBBIAH, J.]

The petitioner has come up with the present Writ Petition seeking for the issuance of a Writ of Mandamus, directing the first respondent herein to dispose of the appeal preferred by the petitioner dated 01.02.2016 filed as against the order passed by the second respondent dated 07.01.2016, within a time frame stipulated by this Court.

2. The case of the petitioner is that he belongs to "Kurumans" Community, which is classified as "Scheduled Tribe". He is having two daughters, namely K.Kayathri and K.Sasikala. In the Community Certificate issued to them, by mistake, the name of the Caste was made several representations to the respondents for necessary correction and issuance of amended Certificate. Since the same



were not considered, he filed a Writ Petition in W.P.(MD)No.15617 of 2012 and this Court, by order dated 05.12.2012, disposed of the Writ Petition, directing the first respondent to consider his representation and pass orders on merits. Thereafter, on completion of enquiry, the second respondent, by order dated 07.01.2016, rejected the request of the petitioner. Aggrieved over the same, he preferred an appeal to the first respondent on 01.02.2016. Though the appeal was received and acknowledged by the first respondent, no enquiry was conducted so far. Hence, this Writ Petition.

3. Considering the facts and circumstances of the case and also having regard to the fact that the appeal filed by the petitioner is pending from 01.02.2016 onwards, i.e., for more than 10 months, this Court, without going into the merits of the claim made by the petitioner, directs the first respondent to dispose of the appeal preferred by the petitioner dated 01.02.2016, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that this Court has not dealt with the merits of the matter and it is for the first respondent to decide the appeal on its own merits.

4. The Writ Petition is disposed of in the above terms. No costs.

Sd/-
Assistant Registrar(RTI)

/True copy/

Sub Assistant Registrar

To

1.The District Collector,
Thanjavur District,
Thanjavur.

2.The Revenue Divisional Officer,
Thanjavur,
Thanjavur District.

+1cc to Mr.R.Vijayakumar, Advocate SR.No.3107
+1cc to special Government Pleader SR.No.3544

sml
sm:RSK:06/02/2017:2P/5C

Order made in
W.P.[MD].No.817 of 2017
Dated: 19.01.2017