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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 24.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

and

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P. (MD) No.9847 of 2017

and

W.M.P. (MD) Nos.7543, 7544 and 7545 of 2017

K.R.Nehru

.. Petitioner

Vs.

1.The Chairman,

District Community Certificate Verification
Awareness Committee and District Collector,
Tirunelveli District,
Tirunelveli.

2.The Member Secretary,

District Community Certificate Verification
Awareness Committee and District Backward and
Minority Welfare Officer,
Tirunelveli,
Tirunelveli District.

3.The Member,

District Community Certificate Verification
Awareness Committee and Anthropology Expert,
Chennai University,
Chennai.

4.The Revenue Divisional Officer,

Tirunelveli,
Tirunelveli District.

5.The Tahsildar,

Sankarankovil Taluk,
Tirunelveli District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue of a Writ of certiorarified Mandamus, to call for the records and quash the impugned order passed by the Respondents No.1 to 3 in their proceedings Ni.Mu.(Aa1)/16027/2017 dated 21.04.2017 on the ground that the same is arbitrary, illegal and consequently to direct the respondents to issue the Community Certificate as Hindu Telungupatti Chetti under Most Backward Class to the petitioner and his family members.



For Petitioner : Mr.M.Ramu
For Respondents : Mr.T.R.Janarthanan,
Additional Government Pleader.

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ORDER

[Order of the Court was made by **M.M.SUNDRESH, J.**]

This Writ Petition has been filed for issuance of a Writ of certiorarified Mandamus, to call for the records and quash the impugned order passed by the Respondents No.1 to 3 in their proceedings dated 21.04.2017 on the ground that the same is arbitrary, illegal and consequently to direct the respondents to issue the Community Certificate as Hindu Telungupatti Chetti under Most Backward Class to the petitioner and his family members.

2.An appeal is available to the state committee, the learned counsel for the petitioner has made reliance upon the letter issued by the fourth respondent, namely, The Revenue Divisional Officer, Tirunelveli, to the District Collector, dated 22.04.1992.

3. Admittedly, as against the decision of the District Community Certificate Verification Awareness Committee, Tirunelveli, the learned counsel for the appellant made reliance upon the letter issued by the Revenue Divisional Officer to the District Collector, Tirunelveli dated 22.07.1992.

4. In view of the alternative remedy available, which is more effective and efficacious, we are not inclined to entertain this Writ Petition. However liberty is given to the petitioner to file an appeal before the State Level Committee. Since the petitioner has filed this Writ Petition and it has taken sufficient time, he is given further period of three weeks from the date of receipt of a copy of this order for filing an appeal before the above said Committee and if the appeal is filed it is well open to the petitioner to raise the point regarding relevancy of the letter issued by the fourth respondent herein to the District Collector, Tirunelveli District, dated 22.07.1992.

5. Accordingly, the Writ Petition is disposed of. No Costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(RTI)

/True copy/



To

- 1.The Chairman,
District Community Certificate Verification
Awareness Committee and District Collector,
Tirunelveli District,
Tirunelveli.
- 2.The Member Secretary,
District Community Certificate Verification
Awareness Committee and District Backward and
Minority Welfare Officer,
Tirunelveli,
Tirunelveli District.
- 3.The Member,
District Community Certificate Verification
Awareness Committee and Anthropology Expert,
Chennai University,
Chennai.
- 4.The Revenue Divisional Officer,
Tirunelveli,
Tirunelveli District.
- 5.The Tahsildar,
Sankarankovil Taluk,
Tirunelveli District.

+1cc to Mr.M.Ramu, Advocate,SR.67239

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CMR/TA
KK/SKN RSK/SAR3-26.07.2017-3P-7C