

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 22.03.2018

Coram

The Hon'ble Mr. Justice R.Subbiah
and
The Hon'ble Mr. Justice P.D.Audikesavalu

W.P.No.6364 of 2018

K. Thanikachalam

....Petitioner

Vs.

The Revenue Divisional Officer,
Tambaram.

...Respondent

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondent to issue Community Certificate to the petitioner's daughters, viz., i) T. Jayanthi and ii) T.Jagadeeswari, that they belong to Kattunayakan (ST) Community based upon the Community Certificate already issued to the petitioner and his family members.

For Petitioner : Mr. V.Elangovan

For Respondent : Mr. S.N.Parthasarathy
Government Advocate

(Order of the Court was made by R.Subbiah,J.,)

Heard Mr.V.Elangovan, the learned counsel appearing for the petitioner and Mr.S.N.Parthasarathy, the learned Government Advocate, accepting notice on behalf of the respondent. With consent of the learned counsel on either side, the Writ Petition is taken up for disposal.

2. The petitioner has filed this Petition, seeking for issuance of a Writ, in the nature of Mandamus, directing the respondent to issue Community Certificate to his two daughters, viz., i) T. Jayanthi and ii) T.Jagadeeswari, certifying that they belong to Kattunayakan (ST) Community, based upon the Community Certificate already issued to the petitioner and his family members.

3. On a perusal of the affidavit, filed in support of this Writ Petition, it could be deduced that the petitioner, seeking for issuance of Community Certificate to his two daughters, (names mentioned above), has submitted an application to the respondent/Revenue Divisional Officer (R.D.O.), dated 31.08.2016, enclosing all necessary documents, especially, the documents, which would act as proof to show that the petitioner and his family members belong to Kattunayakan (ST) Community).

4. The grievance expressed by the petitioner is that, the application is of the year 2016, and though more than 1 1/2 year has elapsed, the respondent has not passed any orders. Since the petitioner has not been favoured with any response/reply, he is constrained to approach this Court, by way of this Writ Petition.

5. The learned Government Advocate for the respondent, on instructions, would submit that, pursuant to the application made by the petitioner, the respondent/R.D.O. has sought for a Report from the Tahsildar, Tambaram, and as and when, the Report is submitted by the Tahsildar, the application made by the petitioner will be considered in the light of the said Report and appropriate orders will be passed on merits and in accordance with law, and prays, that some reasonable time may be granted to pass orders.

6. Considering the limited scope of the prayer, sought for, by the petitioner, in this Writ Petition, this Court, without expressing any view with regard to the merits of the contentions put forth by the petitioner in the Writ Petition, is of the view that, suffice it to direct the respondent to consider the petitioner's representation, dated 31.08.2016, and issue Community Certificate in a time bound manner.

7. Accordingly, this Writ Petition is disposed of, by directing the respondent to expedite the process with regard to the issuance of the Community Certificate based on the the petitioner's representation, dated 31.08.2016, and issue Community Certificate to the petitioner's two daughters, as expeditiously as possible, not later than 31, May, 2018. No costs.

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Sd/-
Assistant Registrar (CS IX)

//True copy//

Sub Assistant Registrar

sd

To

The Revenue Divisional Officer,
Tambaram.

+1cc to Mr.Elangovan, Advocate SR.No.21883

W.P.No.6364 of 2018

MG (CO)
GN (27/03/2018)



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