

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.03.2018

Coram

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

W.P.No.3791 of 2018

A. Vanitha

...Petitioner

Vs.

1. The District Collector,
Government of Union Territory of Puducherry.
 2. The Tahsildar,
Villianur, Union Territory of Puducherry.
 3. The Village Administrative Officer,
Sanniyasikuppam,
Union Territory of Puducherry.
- ...Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of a writ of mandamus to direct the respondents to consider the petitioner's representation, dated 01.10.2017, and consequently, to direct the respondents to issue Nationality and Community Certificate of the petitioner's daughter.

For Petitioner : Mr.V. Janarthanan

For Respondents : Mr.C.T. Ramesh

Additional Government Pleader

ORDER

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

This Writ Petition has been filed by the petitioner, seeking for issuance of a Writ, in the nature of mandamus, directing the respondents to consider her representation, dated 01.10.2017, and issue Nationality and Community Certificate to her daughter.

2. The case of the petitioner is that, her daughter, by name A.Yuva Sri, is studying in X standard at Sri Navadura Higher Secondary School, Puducherry. Her daughter was born and brought up in Puducherry, and now she is 15 years old. Since the community certificate is very essential to her daughter for

continuing her higher studies, the petitioner submitted an Application to the Village Administrative Officer, Sanniyasikuppam, Union Territory of Puducherry, the third respondent, but the third respondent refused to entertain the said Application on the ground that the petitioner's husband is working in Tamil Nadu Police Service, and is temporarily residing in the Police Quarters, Kandamangalam only for job purpose, and hence, they cannot issue the certificate and directed the petitioner to approach the Government of Tamil Nadu. Setting out her grievance, the petitioner submitted a representation, to the District Collector, Puducherry, dated 01.10.2017 and sought for issuance of a residence and community certificate. Since the said representation evoked no response, the petitioner is before this Court, seeking for the relief, as states supra.

3. Mr.V.Janarthanan, the learned counsel appearing for the petitioner submits that the petitioner and her husband were born and brought at Puducherry and the petitioner is in possession of adequate documents/proofs to show their nativity at Puducherry, and prays for a direction upon the respondents to issue Nationality and Community Certificate in the name of her daughter.

4. The learned Additional Government Pleader for the respondents submitted that, if a fresh representation is made to the second respondent, the same will be considered and appropriate orders will be passed.

5. In the light of the above facts and circumstances, this Court, without going into the merits of the case projected by the petitioner, directs the petitioner to submit a fresh representation to the second respondent within a period of one week from the date of receipt of a copy of this order. As and when, such an representation is being made, the second respondent is directed to consider the same and pass appropriate orders on merits and in accordance with law within a period of four weeks thereafter, and communicate the decision taken to the petitioner.

6. This Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

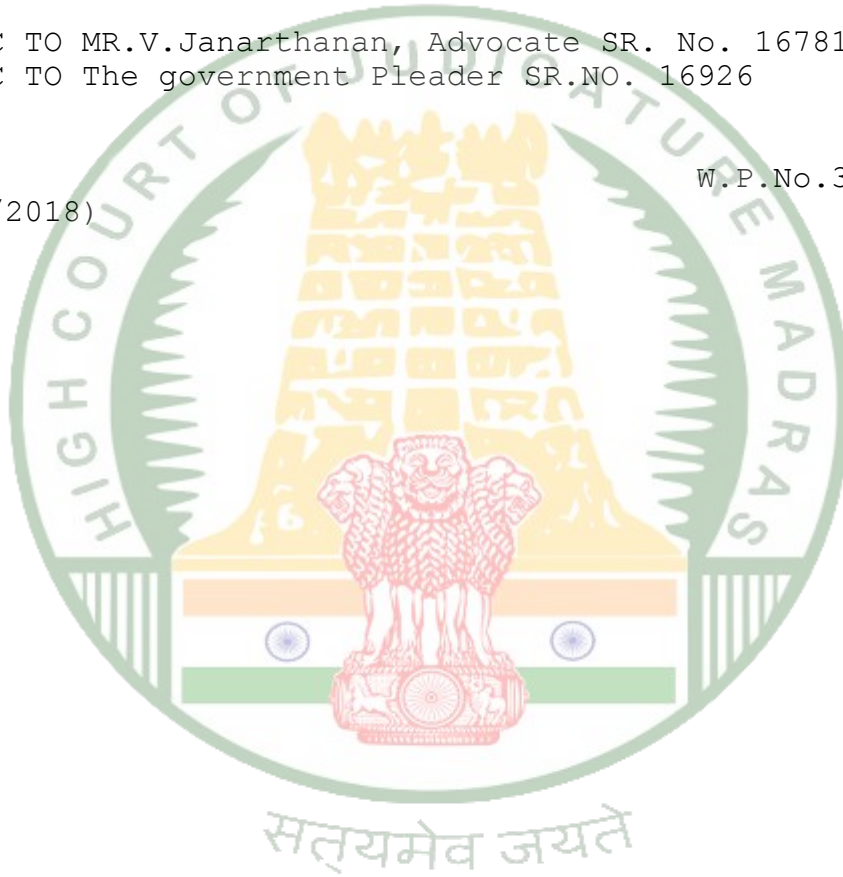
To

1. The District Collector,
Government of Union Territory of Puducherry.
2. The Tahsildar,
Villianur, Union Territory of Puducherry.
3. The Village Administrative Officer,
Sanniyasikuppam,
Union Territory of Puducherry.

+1 CC TO MR.V.Janarthanan, Advocate SR. No. 16781
+1 CC TO The government Pleader SR.NO. 16926

W.P.No.3791 of 2018

RMP (23/03/2018)



WEB COPY