

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2018

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

Writ Petition No.33680 of 2017

and WMP No.37273 of 2017

N. Reena

... Petitioner

Vs.

- 1 The Secretary to Government,
Educational Department,
Fort.St. George,
Chennai - 600 009
 2. The Principal Secretary to Government,
Higher Education Department,
Secretariat, Fort St. George,
Chennai - 600 009
 - 3 The Director of Education Department,
College Road, DPI Campus,
Chennai - 600 006
 - 4 The District Educational Officer,
Thiruvallur District,
Thiruvallur
- Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 14.11.2017 and further direct the respondents to change the petitioner's community as backward caste from Schedule caste in all her educational certificates.

For Petitioner : Mr.K. Murugan
For respondents : Mr.R. Vijayakumar
AGP

ORDER

The petitioner has filed the present writ petition seeking to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 14.11.2017 and

further direct the respondents to change the petitioner's community as backward caste from Schedule caste in all her educational certificates.

2. The case of the petitioner is that the petitioner belonged to Hindu Seerkarueegar, which is a backward class community, but at the time of primary education, the headmaster of the school, by oversight, recorded in the Transfer Certificate that the petitioner belongs to Schedule Caste. When the mother of the petitioner approached the Head Master of the school, he replied that it would be corrected later. Subsequently, when the petitioner joined in the higher secondary, at that time also, the Head Master of the School was requested to do the correction, for which, the Head Master failed to act upon. Subsequently, the petitioner joined the College and completed degree course and in the Transfer Certificate also, the caste of the petitioner is mentioned as Scheduled Caste, but in the Community Certificate, issued by the competent authority, the petitioner's community has been stated as Hindu Seerkaruneegar, which has been classified as Backward Community. The petitioner made representation on 14.11.2017 to all the respondents and since the representations have not been considered, the petitioner has approached this Court. With all fairness, the petitioner seeks consideration of the representation so as to classify his caste from Schedule caste to backward caste.

3. Under such circumstances, this Court is inclined to direct the respondents to consider the representation of the petitioner and pass appropriate orders. Accordingly, the respondents are directed to consider the representation of the petitioner dated 14.11.2017 and pass appropriate orders by considering all the required certificates like community certificate etc., after hearing the petitioner and such an exercise shall be done within a period of six weeks from the date of receipt of a copy of this order. With the above direction, the writ petition is disposed of. No costs. Consequently, connected WMP is closed.

SR

sd/
ASSISTANT REGISTRAR

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

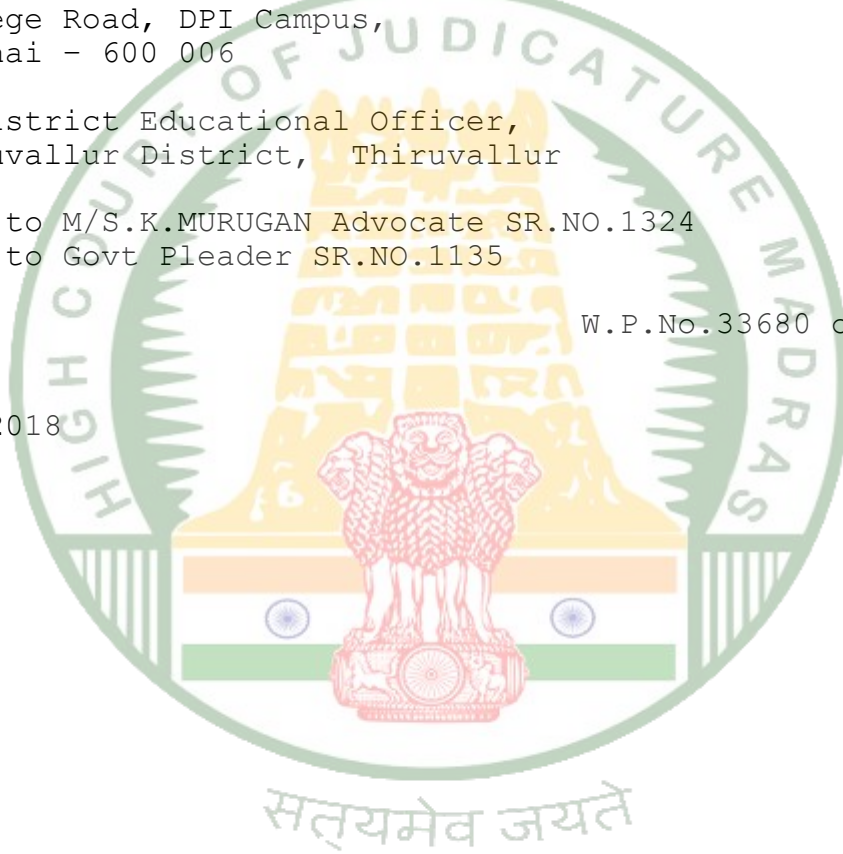
To

- 1 The Secretary to Government,
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2. The Principal Secretary to Government,
Higher Education Department,
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Chennai - 600 009
- 3 The Director of Education Department,
College Road, DPI Campus,
Chennai - 600 006
- 4 The District Educational Officer,
Thiruvallur District, Thiruvallur

+1CC to M/S.K.MURUGAN Advocate SR.NO.1324
+1CC to Govt Pleader SR.NO.1135

W.P.No.33680 of 2017

CS[CO]
MK:03/02/2018



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