

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.09.2018

CORAM:

THE HONOURABLE MR. JUSTICE R.SUBBIAH
AND
THE HONOURABLE MR. JUSTICE R.PONGIAPPAN

WRIT PETITION No.22015 of 2018

G.Kumaran

... Petitioner

Vs.

1. The Revenue Divisional Officer,
O/o. R.D.O. Office,
Tambaram,
Chennai 600 045.
2. The Tahsildar,
Taluk Office,
Alandur,
Chennai 600 016.

... Respondents

Pryer:Writ Petition has been filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the Respondents to issue Scheduled Tribe Certificate to the Petitioner's sons (i) Sridhar and (ii) Hariharan, who are studying XI and IX Standards, respectively.

For Petitioner : Mr.A.M.Ayyadurai

For Respondents: Mr.V.Anandhamoorthy,
Additional Government Pleader

O R D E R

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

This Writ Petition has been filed by the Petitioner praying for the issuance of a Writ of Mandamus directing the Respondents to issue Scheduled Tribe Certificate to the Petitioner's sons viz. (i) K.Sridhar and (ii) K.Hariharan, who are studying XI and IX Standards, respectively.

2. According to the Petitioner, he belongs to Hindu Kurumans Scheduled Tribe Community and is residing at No.21, New Colony Main Road, Adambakkam Village, Chennai 600088 along with

his family members for several years. In his Affidavit, the Petitioner has averred that his father, viz. P.Govindasamy was issued Community Certificate that he belongs to Hindu (Kurumans) Scheduled Tribe Community and that his brother viz. G.Ramachandran was also issued Community Certificate on 01.09.1984 by the Tahsildar, Saidapet, Chennai - 15, stating that he belongs to Hindu (Kurumans) Scheduled Tribe Community.

3. Drawing reference to the same, the Petitioner made a representation to the 1st Respondent/Revenue Divisional Officer, Tambaram, on 02.05.2017, requesting to issue Scheduled Tribe Community Certificate to his sons, annexing the relevant Form of Certificate dated 02.05.2017 produced by his two sons, viz. (i) K.Sridhar and (ii) K.Hariharan, along with their respective Birth Certificates. It is further stated by the Petitioner that he had given his deposition before the Revenue Inspector, Alandur Firka, Chennai-16, on 02.05.2017, requesting to issue S.T. Community Certificate to his two sons and on the same day, in support of the Petitioner's deposition seeking to issue S.T. Certificate to his two sons, the Village Public numbering 10, have also deposed before the Revenue Inspector, Alandur Firka.

4. Furthermore, on 02.05.2017 itself, the Enquiry Report of the Village Administrative Officer, Adambakkam Village, Alandur Taluk, Kanchipuram District, recommending to issue S.T. Certificate to the Petitioner's sons, has been forwarded to the Revenue Inspector. The Revenue Inspector forwarded the Enquiry Report to the 2nd Respondent/Tahsildar, Taluk Office, Alandur, Chennai-16, vide Report No.426/2017, recommending to issue S.T. Certificate to the Petitioner's sons.

5. Thereafter, vide Call Letter dated 27.09.2017, the Petitioner was called upon by the 1st Respondent to attend the enquiry scheduled to be held on 24.10.2017 and accordingly, the Petitioner attended the enquiry on 24.10.2017 before the 1st Respondent and explained all the details along with relevant documents in support of his claim. In spite of the same, the Respondents refused to issue Scheduled Tribe Community Certificate to the Petitioner's sons and hence, having no other alternative remedy, the Petitioner is before this Court by way of the present Writ Petition.

6. Heard the learned Counsel for the Petitioner and the learned Additional Government Pleader appearing for the Respondents.

7. Considering the limited scope of the prayer sought for in this Writ Petition, without traversing into the merits of the claim made by the Petitioner, this Court directs the Respondents

to conclude the enquiry and pass appropriate orders on the Petitioner's representation dated 02.05.2017, on merits and in accordance with law, preferably within a period of six weeks from the date of receipt of a copy of this order.

With the above direction, the Writ Petition stands disposed of.
No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

(aeb)

To:

1. The Revenue Divisional Officer,
O/o. R.D.O. Office,
Tambaram,
Chennai 600 045.
2. The Tahsildar,
Taluk Office,
Alandur,
Chennai 600 016.

+1cc to Thiru A.M.Ayyadurai, Advocate Sr.66058
+1cc to the Government Pleader Sr.67864

सत्यमेव जयते

W.P.No.22015 of 2018

mr[co]
srg 25/10/2018

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