

IN THE JUDICATE OF MADRAS HIGH COURT

DATED : 14.02.2018

CORAM

THE HON'BLE MR.JUSTICE R.SUBBIAH

and

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P.No.2482 of 2018

1.R.Ramesh
2.R.Manimegalai
3.R.Uma Maheswari
4.R.Ragothaman
5.R.Boobalan
6.R.AnabalaganPetitioners

Vs.

1.State of Tamil Nadu
rep. by its Secretary to Government,
Adi Dravidar and Tribal Welfare CV-4(1) Department,
Secretariat, Chennai-600 009.
2.State Level Caste Scrutiny Committee,
rep. by its Chairman and Secretary to Government,
Adi Dravidar and Tribal Welfare (CV-4(1) Department,
Secretariat, Chennai-600 009.
3.The **Director** of Tribal Welfare,
Chepuak, Chennai-600 005. ... Respondents

Writ Petition has been filed under Article 226 of the Constitution of India, praying for issuance of a writ of Mandamus directing the respondents to proceed with the enquiry and pass orders regarding verification of Kattunayakan (ST) Community certificate of the petitioners within the time framed manner.

For Petitioner : Mr.S.Doraisamy

For Respondents: Ms.Thangavadhana Balakrishnan, GA

JUDGMENT

(Judgment of the Court was delivered by R.SUBBIAH, J.,)

This writ petition has been filed seeking to direct the respondents to proceed with the enquiry and pass orders regarding verification of Kattunayakan (ST) Community certificate of the petitioners within a time limit.

2.In the affidavit filed in support of the writ petition it has been averred by the petitioners that the petitioners are brothers and sisters. The petitioners 2 & 3 are the younger

sisters, petitioners 4 & 5 are the younger brothers and 6th petitioners is the elder brother of the 1st petitioner. They belong to Kattunayakan community, which is notified as a Schedule Tribe Community. The 1st petitioner is working as Driver in Southern Railway and he submitted an application to the District Collector, Villupuram to verify his community certificate. On 19.09.2006, the District Collector, Villupuram forwarded entire papers and community certificates of the petitioners to the 2nd respondent for the final disposals. Thereafter, the 2nd respondent ordered to conduct vigilance cell enquiry and sent a detail report to the State Level Scrutiny Committee. The petitioner have also appeared before the Vigilance Cell officers and full fledged enquiry was conducted. It is further stated by the petitioners that the Vigilance Cell officer sent his report to the 3rd respondent. The concerned District Anthropologist also conducted spot enquiry and gave a report to the 3rd respondent. However, till date no order has been passed by the respondents with regard to the community certificate of the petitioners.

3. Heard both sides and perused the materials available on record.

4. Considering the limited scope of the prayer sought for in this writ petition, this Court directs the respondents to proceed with the enquiry and to pass orders regarding verification of Kattunayakan (ST) community certificate of the petitioners, on or before 30.04.2018. It is made clear that this Court has not expressed any opinion on the merits of the claim made by the petitioners and it is for the respondents to pass orders strictly on merits and in accordance with law.

With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS II)

Dated: 20.02.2018

* Corrected order to be issued

Sd/- Sub Assistant Registrar

Dated: 27.02.2018

//True Copy//

Sub Assistant Registrar

To,

1. The Secretary to Government,
State of Tamil Nadu
Adi Dravidar and Tribal Welfare
CV-4(1) Department,
Secretariat, Chennai-600 009.

<https://hcservices.ecourts.gov.in/hcservices/>

To be substituted for
the order already
despatched on 23.02.2018

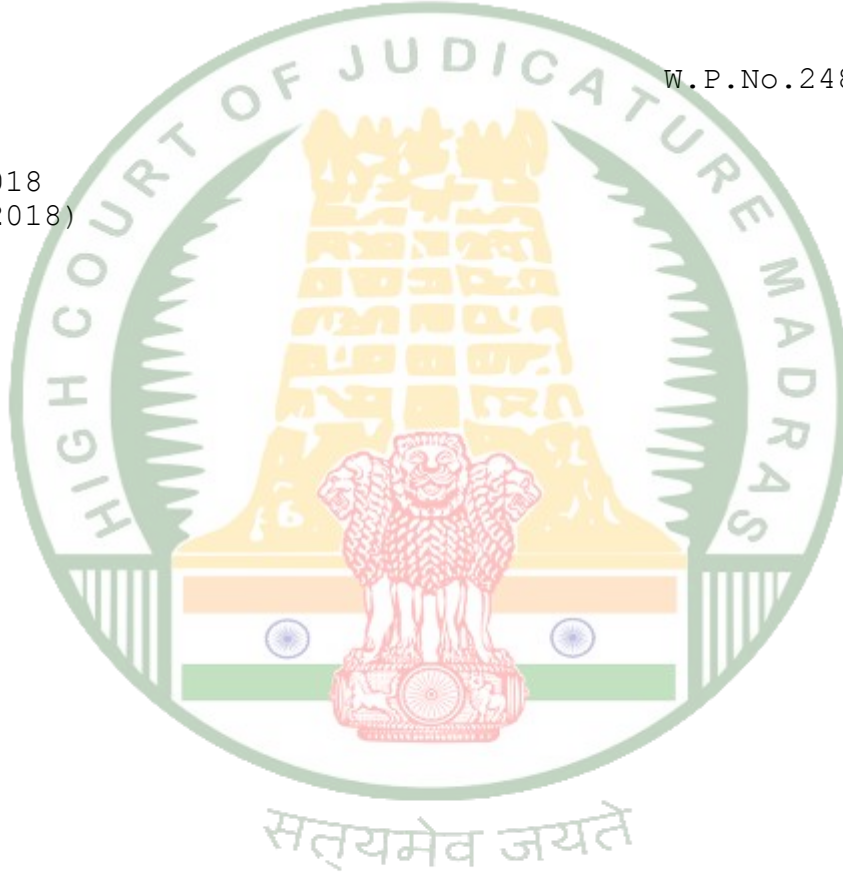
2.The Chairman and Secretary to Government,
State Level Caste Scrutiny Committee,
Adi Dravidar and Tribal Welfare (CV-4(1) Department,
Secretariat, Chennai-600 009.

3.The Director of Tribal Welfare,
Chepuak, Chennai-600 005.

+lcc to Government Pleader Sr.No.11768
+lcc to Mr.S.Doraisamy, Advocate SR.No.11807

W.P.No.2482 of 2018

SSI (CO)
sm:21.2.2018
SP(27/02/2018)



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