

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.12.2018

CORAM

THE HON'BLE MR. JUSTICE M.M.SUNDRESH
and
THE HON'BLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.No.15882 of 2018

L.Rathinam

.. Petitioner

Vs.

The Revenue Divisional officer,
Krishnagiri-635 001.

.... Respondent

Writ petition is filed under Article 226 of the Constitution of India seeking to issue a writ of certiorarified mandamus to call for the entire records relating to the impugned order passed by the respondent in his proceedings Na.Ka.4819/2015/F dated 23.04.2018 and quash the same and consequently, direct the respondent to issue community certificate to the petitioner as "Hindu Kurumans- Scheduled Tribe" community based on the directions issued by the State level Scrutiny Committee in proceedings No.19675/CVIII/2009 dated 30.03.2015 within a reasonable period fixed this Court.

For petitioner : Mr.R.Krishnamoorthy

For Respondent : Mr.J.Kumaran,
Addl. Government Pleader

ORDER

(Order of the Court was made by M.M.SUNDRESH,J.)

Admittedly, an appeal provision is available as against the order passed by the respondent dated 23.04.2018. In such view of the matter, we are not inclined to entertain this writ petition, especially, when the Appellate Authority has got power to consider both fact and law as against the self imposed restriction on this Court exercising discretionary power under Article 226 of the Constitution of India.

2. In such view of the mater, the writ petition stands disposed of giving liberty to the petitioner to file an appeal

to the District Collector concerned within a period of four weeks from the date of receipt of a copy of this order. As and when such an appeal is filed, the District Collector concerned is directed to dispose of the same within a period of 12 weeks thereafter. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

raa

To

The Revenue Divisional officer,
Krishnagiri-635 001.

+1cc to Mr.R.Krishnamoorthy, Advocate, S.R.No.88059
+1cc to the Government Pleader, S.R.No.88359

W.P.No15882 of 2018

RK(CO)

rrs 19/02/2019



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