

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.06.2018

C O R A M

THE HONOURABLE Mr.JUSTICE S.M.SUBRAMANIAM

W.P.No.15210 of 2018

M.Ganapathy

... Petitioner

Vs.

- 1.The Principal Secretary to Government,
Revenue Administration and Disaster,
Management,
Fort St. George,
Chennai- 600 009.
- 2.The Commissioner of Revenue Administration,
Chepauk, Chennai- 600 005.
- 3.The District Collector,
Collectorate Buildings,
Perambalur.
- 4.The Revenue Divisional Officer,
Perambalur,
Perambalur District.
- 5.The Tahsildhar,
Kunnam Taluk,
Perambalur District.
- 6.Fouline Mary,
Secondary Grade Teacher,
Panchayat Union Primary School,
Lapaikudikadu, Vepore Panchayat Union
Perambalur District.

..... Respondents

PRAYER:-

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 4th respondent to strictly implement the letter in Na.Ka.No.H2/23194/2008 dated 10.02.2015 issued by the 3rd respondent for cancelling the intercaste marriage certificate obtained by the 6th respondent within the stipulated time.

For Petitioner : Mr.N.Umapathi

For RR 1 to 5 : Mr.V.Jayaprakash Narayanan
Special Government Pleader

O R D E R

The relief sought for in this writ petition is for a direction to direct the fourth respondent to strictly implement the letter in Na.Ka.No.H2/23194/2008 dated 10.02.2015 issued by the third respondent for cancelling the intercaste marriage certificate obtained by the sixth respondent.

2. The contention of the writ petitioner is that the sixth respondent had fraudulently obtained Intercaste Marriage Certificate and secured a Government job. In this regard, the writ petitioner had submitted a complaint stating that the sixth respondent by obtaining Intercaste Marriage Certificate fraudulently and secured public employment. The complaint submitted by the writ petitioner had been forwarded to the District Collector, Perambalur, who in turn, directed to verify the Intercaste Marriage Certificate issued in favour of the sixth respondent in proceedings dated 10.02.2015.

3. This court is of an opinion, when the District Collector, Perambalur directed the Sub-Collector to verify the certificate issued in favour of the sixth respondent in proceedings dated 10.02.2015, no action has been taken in this regard by the Sub-Collector for the past about two and a half years. The inaction of the subordinate officials in spite of the orders passed by the Collector in this regard is to be deprecated. In spite of the memo issued by the District Collector on 10.02.2015, the subordinate officials have not taken any action in this regard in respect of the verification of the Intercaste Marriage Certificate issued in favour of the sixth respondent, who in turn secured public employment from and out of the certificate issued by the authorities. Thus, there is an enormous delay on the part of the authorities even for verifying the certificate issued in favour of the sixth respondent. This shows dereliction of duty and negligence on the part of the officials concerned.

4. At this juncture, it is brought to notice of this Court by the Special Government Pleader that the writ petitioner is blackmailing some persons in this regard. If at all there is an allegation of blackmailing against the writ petitioner, appropriate actions are to be initiated by registering a complaint against the writ petitioner also. FIR already registered in this regard is to be investigated in the manner known to law.

5. This court is of an opinion that the District Collector, Perambalur in this regard, is bound to look into this matter and initiate appropriate action in this regard based on the complaint given by the writ petitioner and based on the memo issued by the District Collector in proceedings dated 10.02.2015.

6. Accordingly, the respondents 3 and 4 are directed to initiate appropriate action in this regard and pass orders within a period of twelve weeks from the date of receipt of a copy of this Order.

7. The writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal Secretary to Government,
Revenue Administration and Disaster,
Management, Fort St. George,
Chennai- 600 009.
2. The Commissioner of Revenue Administration,
Chepauk, Chennai- 600 005.
3. The District Collector,
Collectorate Buildings, Perambalur.
4. The Revenue Divisional Officer,
Perambalur, Perambalur District.
5. The Tahsildhar,
Kunnam Taluk, Perambalur District.

+1cc to Mr.B.Velmurugan, Advocate, S.R.No.41036
+1cc to the Government Pleader, S.R.No.40365

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CS/06/07/18