

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 18.07.2018

Coram

THE HONOURABLE Mr. JUSTICE M.VENUGOPAL
AND
THE HONOURABLE Mr. JUSTICE M.NIRMAL KUMAR

W.P.No.16426 of 2018

R.Chinnasamy .. Petitioner

Vs.

1. The Revenue Divisional Officer,
Dharmapuri, Dharmapuri District

2. The Tahsildar,
Taluk Office, Karimangalam
Dharmapuri District

..Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus directing the 2nd Respondent to issue Panniandi S.C. Community Certificate to the Petitioner on the basis of Petitioner's representation dated 12.06.2018 and also taking into consideration of Community Certificate issued to his brother, R.Madhaiyan within the time to the stipulated by this Court.

For Petitioner : Mr.R.Bharath Kumar

For Respondents : Mr.K.Rajendra Prasad
Additional Government Pleader

O R D E R

[Order of the Court was made by M.VENUGOPAL, J.]

Heard the Learned Counsel for the Petitioner and the Learned Additional Government Pleader for the Respondents.

2.According to the Petitioner, he belongs to Panniandi Community, which is recognised as Scheduled Caste in terms of G.O.Ms.1564 dated 30.07.1965. His father, viz., Ramasamy has three sons and two daughters and his father had not attended the school and hence there was no occasion for him to procure the Community Certificate in his favour. Hence the Petitioner could not obtain Community Certificate from the 2nd Respondent /

Tahsildar, Taluk Office, Karmangalam, Dharmapuri District. In fact, his brother, R.Mathaiyan approached the 2nd Respondent praying for issuance of Community Certificate and the same was rejected for flimsy reason, hence he filed Writ Petition No.22148 of 2014 before this Court assailing the Order of Rejection of Community Certificate and for other reliefs.

3. Further, it is the stand of the Petitioner that this Court on 02.03.2017 while quashing the rejection order of 2nd Respondent / Tahsildar, Dharmapuri District had directed the said Respondent to conduct fresh enquiry and issue Community Certificate to the Petitioner's brother, viz., R.Madhaiyan, who belong to 'Panniandi Community', which is classified as Scheduled Caste. Subsequent to the Order passed in W.P.No.22148 of 2014, the 2nd Respondent had issued a Community Certificate dated 20.03.2018 to the Petitioner's brother, viz., Madhaiyan.

4. At this stage, the Learned Counsel for the Petitioner submits that the Petitioner approached the 2nd Respondent / Tahsildar, Dharmapuri District and submitted an application on 12.06.2018 enclosing his brother's Community Certificate and request was made for issuance of Panniandi Community Certificate in his favour, since the Respondents had not taken any action in the matter, the Petitioner has filed the present Writ Petition before this Court.

5. At this juncture, the Learned Additional Government Pleader for the Respondents fairly submitted that 2nd Respondent / Tahsildar, Dharmapuri District will pass necessary orders within a period of four weeks on the representation of the Petitioner dated 12.06.2018 from the date of receipt of copy of this Order.

6. Considering the fair submission advanced on behalf of the 2nd Respondent to the effect that the 2nd Respondent / Tahsildar, Dharmapuri will pass orders within a period of four weeks [based on the representation of the Petitioner dated 12.06.2018], this Court without delving deep into the merits of the matter and not expressing any opinion one way or other, deems it fit and proper in directing the 2nd Respondent to dispose of the representation of the Petitioner dated 12.06.2018 within a period of four weeks from the date of receipt of a copy of this order. It is needless for this Court to make a pertinent mention that the 2nd Respondent / Tahsildar, Dharmapuri shall pass a reasoned order outlining the process of reasoning in a qualitative and quantitative manner. In case, if the Petitioner desires to be heard in person and prays for personal hearing in the subject matter in issue, then, the 2nd Respondent shall provide necessary opportunity to the Petitioner and pass

final orders in the subject matter, of course, after adhering to the Principles of Natural Justice.

With the aforesaid observations and directions, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar (CCC)

//True copy//

Sub Assistant Registrar

ssd

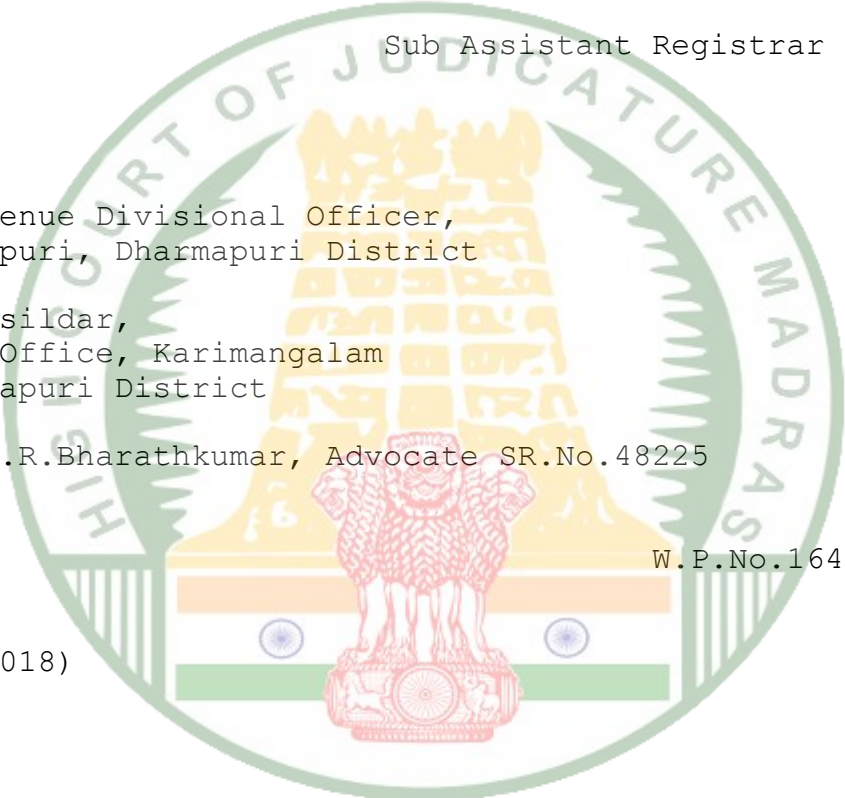
To

1. The Revenue Divisional Officer,
Dharmapuri, Dharmapuri District
2. The Tahsildar,
Taluk Office, Karimangalam
Dharmapuri District

+1cc to Mr.R.Bharathkumar, Advocate SR.No.48225

W.P.No.16426 of 2018

AK(CO)
GN(07/08/2018)



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