

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 08.10.2018

CORAM:

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

W.P.No.25097 of 2018

M.Sekar

.. Petitioner

Vs.

The Revenue Divisional Officer,
Krishnagiri,
Krishnagiri District.

.. Respondent

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus to call for the records on the file of the respondent herein in proceedings No.Na.Ka.5705/2017E, dated 06.03.2018, quash the same and direct the respondent to issue Community Certificate to the petitioner that he belongs to Kurumans (ST) Community, based upon the Community Certificate already issued to his family members.

For petitioner : M/s.T.Dharani

For respondents: Mr.K.Rajendra Prasad, Addl.G.P.

ORDER

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

The present Writ Petition is filed for issuance of a Writ of Certiorarified Mandamus to call for the records on the file of the respondent herein in proceedings No.Na.Ka.5705/2017E, dated 06.03.2018, quash the same and direct the respondent to issue Community Certificate to the petitioner that he belongs to Kurumans (ST) Community, based upon the Community Certificate already issued to his family members.

2. The case of the petitioner is that he belongs to Kurumans Community, which is a Scheduled Tribe Community. In his school records, his community is entered as 'Kurumans Scheduled Tribe Community'. Even the Transfer Certificate issued by the Headmaster of Panchayat Union Elementary School, Pochampalli, reveals that the petitioner belongs to Kurumans Scheduled Tribe Community. The petitioner made a representation, dated

10.01.2017, enclosing a copy of application dated 17.10.2016 made for issuance of Community Certificate, to the District Collector. Since the same has not evoked any response, earlier, the petitioner preferred a Writ Petition before this Court seeking direction to issue Kurumans Community Certificate. This Court, by order dated 09.11.2017, disposed of the said Writ Petition directing the respondent to consider and pass orders on the representation, dated 18.08.2017. However, the respondent, without considering the petitioner's representation in proper perspective, rejected the same. Hence, the petitioner has filed this Writ Petition for the relief stated supra.

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

4. We find that as against the impugned order dated 06.03.2018, passed by the respondent-Revenue Divisional Officer, appeal remedy is available to the petitioner. The petitioner, without exhausting the appeal remedy, has directly approached this Court. Hence, this Writ Petition is dismissed. The petitioner is at liberty to file appeal before the appellate authority, as against the impugned order dated 06.03.2018. No costs.

Sd/-
Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

CS
To

The Revenue Divisional Officer,
Krishnagiri,
Krishnagiri District.

+ 1 cc to Mr. T. Dharani, Advocate Sr.70069
+ 1 cc to MR. the Government Advocate SR.70135

W.P.No.25097 of 2018

EV(CO)
EU(29/10/2018)