

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.10.2018

CORAM:

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

WRIT PETITION No.28117 of 2018

R.Palanisamy

... Petitioner

vs.

1. The Revenue Divisional Officer,
Revenue Divisional Office,
Krishnagiri.

2. The Tahsildar,
Taluk Office,
Uthangarai,
Krishnagiri District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 1st Respondent to pass orders on the Petitioner's application dated 11.01.2017 for issuance of Konda Reddy Scheduled Tribe Community Certificate on the basis of the Report of the 2nd Respondent issued in Proceedings in Na.Ka.2037/17/C3, dated 08.06.2018, within the time to be stipulated by this Court.

For Petitioner : Mr.R.Bharath Kumar

For Respondents : Mr.K.Rajendra Kumar,
Additional Government Pleader

O R D E R

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

Petitioner has come up with the present Writ Petition seeking a direction to the 1st Respondent to pass orders on his application dated 11.01.2017 for issuance of Konda Reddy Scheduled Tribe Community Certificate on the basis of the Report of the 2nd Respondent issued in Proceedings in Na.Ka.2037/17/C3, dated 08.06.2018.

2. According to the Petitioner, he belongs to Konda Reddy

Community, which is notified as Scheduled Tribe (ST) Community. He made an application to the 1st Respondent seeking issuance of Konda Reddy Community Certificate (ST) on 11.01.2017. His application was forwarded to the 2nd Respondent for necessary action. Accordingly, the Revenue Inspector, Regional Deputy Tahsildar and the 2nd Respondent herein conducted a detailed enquiry in his Village. Thereafter, the 2nd Respondent, vide proceedings in Na.Ka.2037/17/C3, dated 08.06.2018 sent a Report to the 1st Respondent recommending issuance of Community Certificate to the Petitioner.

3. Pursuant to the said Report of the Tahsildar, Uthangarai Taluk, the 1st Respondent issued summons in Na.Ka.2682/2018/F dated 06.08.2018, calling upon the Petitioner to appear for an enquiry to be held on 10.08.2018. Accordingly, the Petitioner appeared for the enquiry before the 1st Respondent and enquiry proceedings were concluded. But, the 1st Respondent has not passed any order on the Petitioner's representation. Hence, he is before this Court with the present Writ Petition.

4. Heard the learned counsel on either side and perused the material documents available on record.

5. Since the scope of the Writ Petition is limited, without traversing into the merits of the matter and considering the grievance of the Petitioner, this Court directs the 1st Respondent herein to consider the Petitioner's Application dated 11.01.2017, in the light of the Report of the 2nd Respondent/Tahsildar, Uthangarai Taluk in Na.Ka.2037/17/C3, dated 08.06.2018, after affording an opportunity of hearing to the Petitioner and necessary parties, in accordance with the relevant Rules and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order.

6. It is made clear that this Court has not expressed any opinion on the merits of the claim of the Petitioner and it is for the 1st Respondent to decide the same at the time of disposing of the said representation purely on merits.

The Writ Petition is disposed of with the above direction and observation. No costs.

Sd/-

Assistant Registrar (CS-II)

//True copy//

Sub Assistant Registrar

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To:

1. The Revenue Divisional Officer,
Revenue Divisional Office,
Krishnagiri.
2. The Tahsildar,
Taluk Office,
Uthangarai,
Krishnagiri District.

+1cc to Mr.R.Bharath Kumar, Advocate SR.No.73958

+1cc to Government Pleader SR.No.73475

W.P.No.28117 of 2018

EV(CO)

GMV (26/11/2018)



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