

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.10.2018

CORAM

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

W.P.No.28695 of 2018

E.Chitra

..Petitioner

-vs-

1. The District Collector
Vellore District, Vellore

2. The Sub Collector/Assistant Collector/
Sub Divisional Magistrate
Tiruppattur, Vellore District

..Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the second respondent, namely, the Sub Collector/Assistant Collector/Sub-Divisional Magistrate, Tiruppattur, Vellore District to issue the Community Certificate of the petitioner after conducting the detailed enquiry with respect of her caste and her relatives.

For Petitioner :: Ms.T.Nithya

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

ORDER

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

This writ petition has been filed seeking a mandamus directing the second respondent, namely, the Sub Collector/Assistant Collector/Sub Divisional Magistrate, Tiruppattur, Vellore District to issue the Community Certificate of the petitioner after conducting the detailed enquiry with respect of her caste and her relatives.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader taking notice on behalf of the respondents.

3. The grievance of the petitioner is that she has made

applications before the second respondent on various dates i.e., 28.5.2018, 19.6.2018 and 29.8.2018 requesting to issue her the community certificate as belonging to "Kurumans" community, which is recognised as Scheduled Tribe with all the relevant documents. But there was no response. Hence, she has sent another representation on 3.9.2018. In spite of the same, her request has not been considered. Hence, the petitioner is constrained to approach this Court.

4. Since the scope of the prayer is very limited, we are not traversing into the merits of the claim. However, a simple direction to the second respondent to consider the application of the petitioner would suffice. Accordingly, the second respondent is directed to consider the application of the petitioner for issuance of Kurumans (ST) community certificate on merits and pass appropriate orders in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion on the merits of the claim and it is for the second respondent to consider the application of the petitioner on its own merits. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

ss

To

1. The District Collector,
Vellore District, Vellore.
2. The Sub Collector/Assistant Collector/
Sub Divisional Magistrate,
Tirupattur, Vellore District.

+2ccs to Mr.T.Nithya, Advocate, S.R.No.74736
+1cc to the Government Pleader, S.R.No.76434

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rrs 15/11/2018