

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.11.2018

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH
and
The Hon'ble Mr. Justice KRISHNAN RAMASAMY

W.P.No.29147 of 2018

Minor R.Gaberiye
rep. by Guardian/Father G.Raghuvaran ... Petitioner

Vs

The Tahsildar,
Mylapore - Triplicane Taluk,
Greenways Road, Chennai. .. Respondent

Petition filed under Article 226 of The Constitution of India praying for the issuance of a writ of certiorarified mandamus to quash the impugned order passed by the respondent in Letter No.B5/5106/2018 dated 05.10.2018 and consequently direct the respondent to issue community certificate for the minor petitioner as Hindu Adi Dravida (SC).

For Petitioner .. Mr.N.E.A.Dinesh

For Respondent .. Ms.Thangavadhana Balakrishnan,
Addl. Govt. Pleader

ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

Challenging the order of the respondent dated 05.10.2018 and for a consequential direction to issue community certificate to the effect that the petitioner belongs to Scheduled Caste - Adi Dravida community, the present writ petition has been filed.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the

respondent.

3.The impugned order has been passed obviously without affording an opportunity to the minor petitioner's father. By the aforesaid order, the request for issuance of community certificate was rejected on the ground that Christianity is being followed.

4.The petitioner has sought for community certificate as Scheduled Caste - Adi Dravida. Learned Additional Government Pleader would submit that the competent authority to issue such certificate is the Revenue Divisional Officer.

5.In such view of the matter, we are inclined to set aside the order of the respondent. Accordingly, the order of the respondent dated 05.10.2018 stands set aside and the writ petition stands accordingly allowed, giving liberty to the petitioner to approach the Revenue Divisional Officer. No costs.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

mmi
To

1. The Tahsildar,
Mylapore - Triplicane Taluk,
Greenways Road, Chennai.
2. The Revenue Divisional Officer, Chennai

+1cc to Mr.V.Nicholas, Advocate SR.No.78933

+1cc to Government Pleader SR.No.79536

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SAI (CO)
GMY (13/12/2018)

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