

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.10.2018

CORAM:

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

WRIT PETITION No.28296 of 2018

Arumugam

... Petitioner

vs.

1. The District Collector,
Office of the Collectorate,
Namakkal - 637 003,
Namakkal District.
 2. The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Namakkal - 637 001,
Namakkal District.
- ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 2nd Respondent to issue Community Certificate to the Petitioner's daughter viz. A.Priyanga that she belongs to "Malaikuravan (Schedule Tribes Community)", within a stipulated time.

For Petitioner : Mr.W.Camyles Gandhi

For Respondents: Mr.K.Rajendra Prasad,
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 2nd Respondent to issue Community Certificate to his daughter viz. A.Priyanga that she belongs to "Malaikuravan (Schedule Tribe Community)".

2. According to the Petitioner, he and his wife belong to Scheduled Tribe Community and that his daughter A.Priyanga is pursuing B.A. English in Selvamm Arts & Science College, Namakkal. As the College Administration has informed that the Petitioner's daughter will not be permitted to write Semester

Examination, if she fails to produce her Community Certificate, the Petitioner made Applications to the authorities concerned seeking issuance of ST Community Certificate to his daughter. Since, none of his Applications were considered, the Petitioner made a detailed representation dated 17.10.2018 to the Respondents seeking issuance of ST Community Certificate to his daughter. As there was no response from the Respondents, the Petitioner is before this Court.

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

4. Considering the grievance of the Petitioner, without traversing into the merits of the matter, this Court directs the 2nd Respondent/Revenue Divisional Officer, Namakkal District, to consider the Petitioner's representation dated 17.10.2018, 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 six weeks from the date of receipt of a copy of this order.

5. 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 2nd 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 VI)

//True Copy//

Sub Assistant Registrar

To:

1. The District Collector,
Office of the Collectorate,
Namakkal - 637 003,
Namakkal District.

2. The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Namakkal - 637 001,
Namakkal District.

+1cc to Mr.W.Camyles Gandhi, Advocate sr.no.74059

Order in
W.P.No.28296 of 2018

nr 29/10/2018



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