

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:02.11.2018

CORAM

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

W.P.No.29044 of 2018

S.Sivaji

..Petitioner

-vs-

The Revenue Divisional Officer
Krishnagiri
Krishnagiri District

..Respondent

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondent to issue community certificate to the petitioner that he belongs to Kurumans (ST) Community based upon the community certificate already issued to the family members of the petitioner.

For Petitioner :: Mr.V.Elangovan

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

ORDER

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

This writ petition has been filed by the petitioner seeking for issuance of a mandamus directing the respondent to issue community certificate to the petitioner that he belongs to Kurumans (ST) Community based upon the community certificate already issued to the family members of the petitioner.

2. The petitioner states that he belongs to Kurumans community, which is a Scheduled Tribe Community as entered in the school records and he did not obtain any community certificate. However, on 6.4.2016, his wife Sathiyavathi preferred an application to the respondent requesting to issue community certificate to herself and their children S.Kamali and S.Kalanidhi. Since no order was passed, she approached this Court by filing Writ Petition No.19543 of 2017 and pursuant to the direction issued by this Court in the said writ petition on 31.7.2017, community certificates were issued to the petitioner's wife and children stating that they belong to

Kurumans (ST) Community. Thereafter, the petitioner applied to the respondent on 22.12.2017 requesting to issue community certificate stating that he belongs to Kurumans (ST) Community, as the said certificate is required by him for availing loan from the Public Sector Bank under the ST category. But, the said application has not been considered so far, in spite of sending a reminder dated 22.9.2018. Hence, the petitioner has come forward with this writ petition.

3. The learned Additional Government Pleader takes notice on behalf of the respondent.

4. It is not in dispute that the petitioner's wife and children have already been issued with the community certificates stating that they belong to Kurumans (ST) community. Hence, there cannot be any impediment for the respondent to consider the application of the petitioner for issuance of community certificate. Accordingly, the respondent is directed to consider the application of the petitioner for issuance of Kurumans (ST) community certificate and pass appropriate orders positively, of course, after holding enquiry, within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ petition stands disposed of. No costs.
Ss

Sd/-
Assistant Registrar (CS-CO)

//True Copy//

Sub Assistant Registrar

To

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

+1cc to Mr.S.Doraisamy, Advocate S.R.No.75853

KR/9/11/18

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