



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.03.2018

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MRS.JUSTICE R.THARANI

W.P.(MD) No.2483 of 2018

and

W.M.P.(MD) No.2684 of 2018

M.Angayarkanni

... Petitioner

-vs-

1.The Principal Secretary to Government,
Adi Dravidar and Tribal Welfare (CV I)
Department,
Fort St. George,
Chennai - 9.

2.The Revenue Divisional Officer,
Melur, Madurai District.

3.The Chief General Manager (HR)
Neiveli Lignite Corporation Limited,
Neiveli, Cuddalore 607 801.

4.The Deputy Superintendent of Police,
SC/ST Vigilance Cell, Madurai Region,
Collectorate, Madurai 20.

... Respondents

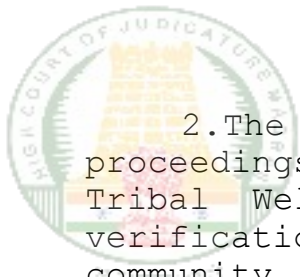
PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of Certiorari Mandamus, calling for the records of the impugned letter No.6360/CV-III 2014, dated 20.02.2017 on the file of the 1st respondent quash the same and further restrained them from conducting any enquiry on the community status of the petitioner.

For Petitioner : Mr.S.Vellaichamy
For Respondents : Mr.S.Dhayalan, G.A. For RR1,2 and 4

O R D E R

(Order of the Court was made by **T.S.SIVAGNANAM, J.**)

Heard Mr.S.Vellaichamy, learned counsel for the petitioner and
Mr.S.Dhayalan, learned Government Advocate appearing for the
respondents 1,2 and 4.



2.The petitioner in this writ petition has challenged the proceedings of the first respondent addressed to the Director of Tribal Welfare and the fourth respondent with regard to the verification of the genuineness of the Kattunayakkan schedule tribe community certificate issued to the petitioner. It would not be necessary for this Court to go into the facts of the case in depth on account of certain development.

3.On a perusal of community certificate issued to the petitioner dated 23.03.2005, it is seen that the certificate was issued based on the certificate issued to her father as per the State Committee Proceedings No.13729/ADW II/02 dated 23.02.2004. Therefore, if the petitioner's father's certificate remains valid, then, obviously the petitioner's certificate is also valid and she belongs to Hindu Kattunayakkan community. The community certificate issued to the petitioner's father was subjected to scrutiny and the State Level Scrutiny Committee passed an order on 23.02.2004 and the appeal petition filed by the petitioner's father was allowed and the order passed by the Madurai District Vigilance Committee dated 19.03.2012 cancelling the petitioner's father's community certificate was set aside.

4.Based on the community certificate issued to the petitioner dated 23.03.2005, she has secured employment as Graduate Executive Trainee (Electrical) in Neyveli Lignite Corporation vide offer of appointment dated 19.03.2012. Once again the respondent appears to have commenced the verification process on the petitioner's community certificate. So far as the proceedings initiated against the petitioner's father community certificate, who is employed in BSNL, the State Level Scrutiny Committee verified the same and by proceeding in Letter No.810 dated 25.01.2018 withdrew the proceedings since already the State Level Scrutiny Committee has confirmed his genuineness vide proceedings dated 23.02.2004.

5.In the light of the said government letter No.810 dated 25.01.2018, no further verification is required, since the petitioner's community certificate which is pointed out earlier was issued based upon her father's certificate. Thus, for the above reasons, this writ petition is allowed and the impugned proceedings are quashed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

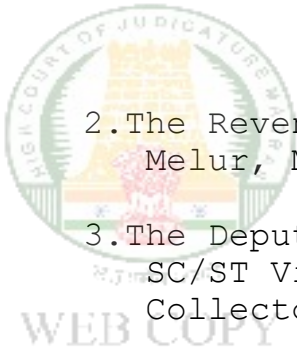
Assistant Registrar(CS-III)

/True copy/

Sub Assistant Registrar

To

1.The Principal Secretary to Government,
Adi Dravidar and Tribal Welfare (CV I)
Department, Fort St. George,
Chennai - 9.



2.The Revenue Divisional Officer,
Melur, Madurai District.

3.The Deputy Superintendent of Police,
SC/ST Vigilance Cell, Madurai Region,
Collectorate, Madurai- 20.

+1CC TO SPECIAL GOVERNMENT PLEADER, SR NO.53349

+1CC TO M/S.M.V.VENKATASESHAN, ADVOCATE, SR NO.52643

W.P.(MD) No.2483 of 2018 and

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02.03.2018

Arul

MS/SV-MMS/SAR-1/21.03.2018/3P.6C