



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 01.03.2018

CORAM

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

W.P. (MD) .No.4333 of 2018

Karunanithi

... Petitioner

Vs.

1.The Government of Tamil Nadu,
Rep by its Secretary,
Schedule Caste and Scheduled Tribe,
Ezhilagam,
Chennai.

2.The District Collector,
Tirunelveli District,
Tirunelveli.

3.The Tahsildar,
Cheranmahadevi Taluk,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the third respondent to take necessary steps to rectify the caste mentioned in the permanent community certificate issued by the third respondent on 06.09.2017.

For Petitioner :Mr.S.Alagarsamy

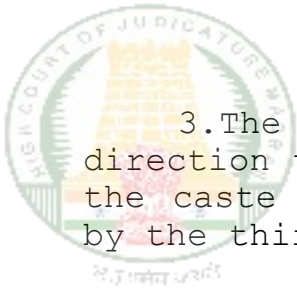
For Respondents :Mr.V.R.Shanmuganathan
Spl. Government Pleader

O R D E R

[Order of the Court was delivered by T.S.SIVAGNANAM, J.]

Heard Mr.S.Alagarsamy, learned counsel appearing for the petitioner, Mr.V.R.Shanmuganathan, learned Special Government Pleader accepts notice on behalf of the respondents.

2.By consent, the writ petition itself is taken up for final disposal, at the stage of admission.



3.The petitioner has filed this writ petition praying for a direction to the third respondent to take necessary steps to rectify the caste mentioned in the permanent community certificate, issued by the third respondent, dated 06.09.2017.

4.The learned counsel for the petitioner submitted that the Community Certificate dated 06.09.2017 contains, both Tamil as well as English version and in the English version, the Community has been correctly mentioned as 'Devendrakulathan Community', which is listed as Serial No.17 in the Scheduled Caste and Scheduled Tribes Orders (Amendment) Act, 1976 and recognized as a Scheduled Caste. However, there appears to be some confusion in the Tamil portion where, the caste "Adidraavidar" has been added. It is pointed out that as per the Schedule in the said Act, the Community 'Adidraavidar' is separate from 'Devendrakulathan', as 'Adidraavidar' is listed as Scheduled Caste community at Serial No.2 of the Schedule, whereas the Devendrakulathan listed as Serial No.17. Therefore, the petitioner has submitted a representation dated 19.09.2017 to the third respondent to make necessary corrections in the Tamil portion of the Community Certificate. The said representations have been received by the third respondent on 20.09.2017, as it could be seen from the postal acknowledgment card.

5.The learned Special Government Pleader submitted that reasonable time may be granted to the third respondent to examine the petitioner's representation and do the needful.

6.In the light of the above, we dispose of the writ petition by directing the third respondent to consider the representation given by the petitioner dated 19.09.2017, after hearing the petitioner and pass appropriate orders on merits and in accordance with law, within a period of three weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(Crl.side)

/True Copy/

Sub Assistant Registrar

To

1.The Secretary, Government of Tamil Nadu,
Schedule Caste and Scheduled Tribe, Ezhilagam, Chennai.

2.The District Collector,Tirunelveli District, Tirunelveli.

3.The Tahsildar,Cheranmahadevi Taluk,Tirunelveli District.

+1CC to Mr.S.Alagarsamy, Advocate, SR.No. 52212

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