



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.09.2018

CORAM :

**THE HONOURABLE MR.JUSTICE T.RAJA
AND
THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY**

W.P(MD)No.4121 of 2016
W.M.P. (MD) No.3688 of 2016

M.Karthick

... Petitioner

vs.

1. The District Collector,
Madurai District.
2. The Revenue Divisional Officer,
Madurai.
3. Directorate of Technical Education,
Chennai.
4. Directorate of Collegiate Education,
Chennai.
5. The Dean,
PSG College of Technology,
Coimbatore.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Certiorarified Mandamus to call for the records relating with the order of the 1st respondent made in Na.Ka.No.57382/2015/adhi8 dated 21.01.2016 confirming the order of the 2nd respondent, made in Na.Ka.No.350/2013/L, dated 03.03.2015 and quash the same as it is arbitrary and illegal and in consequence to direct the 2nd respondent to issue a malai vedan Scheduled Tribe Certificate to the petitioner within a time stipulated by this Court.

For Petitioner	: Mr.R.Suriya Narayanan
For Respondents	: Mr.V.R.Shanmuganathan Special Government Pleader

ORDER

(Order of the Court was made by T.RAJA, J.)

This Writ Petition is directed against the impugned order passed by the District Collector dated 21.01.2016 confirming the order passed by the Revenue Divisional Officer, Madurai, the second respondent herein.

<https://hcservices.ecourts.gov.in/hcservices/>

2. Taking serious objection to the maintainability of the writ petition, initially, the learned Special Government Pleader would



submit that since the prayer in the writ petition is for issuance of a Community Certificate in the name of Malai Vedan, which falls under the Scheduled Tribe category, several documentary evidence are to be appreciated by the State Level Scrutiny Committee. Secondly, as against the order passed by the first respondent, appeal lies before the State Level Scrutiny Committee and therefore, when the petitioner has got effective, alternative, efficacious statutory remedy, the invocation of extraordinary jurisdiction under Article 226 of the Constitution of India is barred.

3. We are in full agreement with the objections raised by the learned Special Government Pleader that some of the documentary evidence produced by the petitioner challenging the order passed by the first respondent ought to be gone into by the State Level Scrutiny Committee. Therefore, the petitioner has to approach the State Level Scrutiny Committee. Accordingly, two weeks time is granted to the petitioner to approach the State Level Scrutiny Committee and if any such appeal is filed by the petitioner challenging the impugned order, the State Level Scrutiny Committee is directed to entertain and consider the same on merits as expeditiously as possible.

4. With the above observation and direction, the writ petition is dismissed. No costs. Consequently connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar (CS-II)

To

1. The District Collector,
Madurai District.
2. The Revenue Divisional Officer,
Madurai.
3. Directorate of Technical Education,
Chennai.
4. Directorate of Collegiate Education,
Chennai.

+ 1 CC TO Mr.R.SURIYANARAYANAN, ADVOCATE IN SR No. 84105
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 84331

RR

TE/RSK/SAR-2 : 28/09/2018 : 2P/7C

W.P(MD)No.4121 of 2016 and
W.M.P. (MD) No.3688 of 2016
12.09.2018