

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2019

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH
and
THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

Writ Petition No.4257 of 2019

C.Magarajan

...Petitioner

Vs

1. The Revenue Divisional Officer
Office of the Revenue Divisional Officer
Tirupattur, Vellore District.

2. The Tahsildar,
Office of the Tahsildar
Tirupattur, Vellore District.

...Respondents

Writ Petition filed under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the 1st respondent to issue a Community Certificate to the petitioner and to two sons namely, M.Manogaran and M.Sozha Rajan, in the light of the Genealogy Certificate showing Sivaraj and Sigamani are close blood relatives to the petitioner, ST Kurumans Community Certificate issued to the petitioner's blood relatives confirmed by the District Level Vigilance Committee by its proceedings No. Na.Ka. Ko.5/10468/91 dated 02.05.2007 confirming that G.Sivaraj belongs to the Hindu Kurumans ST Community; the ST Kumarans Community Certificate issued in favour of Sigamani was declared to be genuine by the District Level Vigilance Committee by its proceedings No. Na.Ka.Ko.5/91478/2000 dated 12.01.2006 and petitioner's Community Certificate issued by the 2nd respondent dated 19.05.1977 by disposing the petitioner's application dated 14.03.2016 within the time stipulated by this Honourable Court.

For Petitioner :Mr.J.Ramakrishnan

For Respondents :Mr.D.Raghu, Government Advocate

O R D E R

[Order was delivered by R.SUBBIAH,J]

The petitioner has filed the above Writ Petition praying for issuance of a Writ of Mandamus, directing the 1st respondent to issue a Community Certificate to the petitioner and to two sons namely, M.Manogaran and M.Sozha Rajan, in the light of the Genealogy Certificate showing Sivaraj and Sigamani are close blood relatives to the petitioner, ST Kurumans Community Certificate issued to the petitioner's blood relatives confirmed by the District Level Vigilance Committee by its proceedings No. Na.Ka.Ko.5/10468/91 dated 02.05.2007 confirming that G.Sivaraj belongs to the Hindu Kurumans Community Certificate issued in favour of Sigamani was declared to be genuine by the District Level Vigilance Committee by its proceedings No. Na.Ka.Ko.5/91478/2000 dated 12.01.2006 and petitioner's Community Certificate issued by the 2nd respondent dated 19.05.1977 by disposing the petitioner's application dated 14.03.2016 within the time stipulated by this Honourable Court.

2.The case of the petitioner is that he belongs to Hindu Kurumans, a scheduled tribe community. Further, according to the petitioner, his close relatives are holding such a community certificate. Petitioner has submitted an application to the respondents on 14.03.2016 seeking issuance of Community Certificate to him and his children. The petitioners also enclosed all the relevant documents issued to him as well as issued in favour of his close relatives. The grievance of the petitioner is that despite lapse of three years, no action was taken till date. Having no other alternative remedy, petitioner has approached this Court by way of this Writ Petition.

3.Heard learned counsel for the petitioner and learned Government Advocate for the respondents.

4.Though very many contentions have been raised in the writ petition, ultimately, the prayer is only for a direction to the respondents to consider the application dated 14.03.2016.

5.This Court, considering the limited scope of prayer sought for and without going into the merits of the case, directs the respondent to consider and dispose of the petitioner's application dated 14.03.2016 in accordance with law on or before 30.04.2019. It is made clear that this Court has not gone into the merits of the claim of the petitioner and it is for the respondent to deal with the same.

6.The writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

may

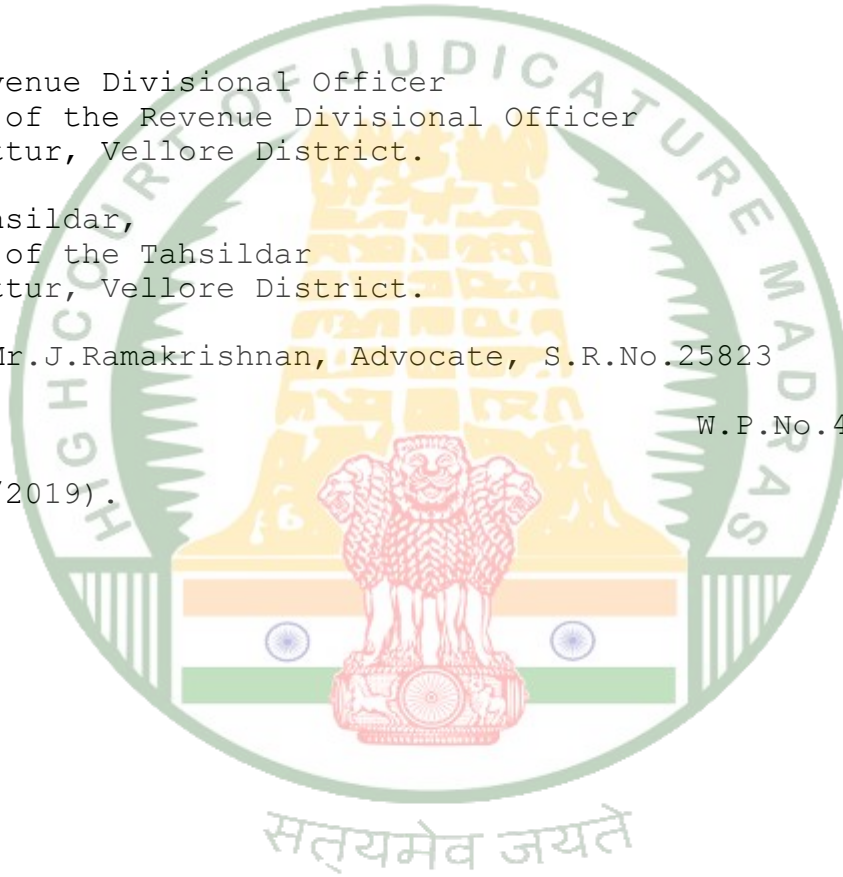
To

1. The Revenue Divisional Officer
Office of the Revenue Divisional Officer
Tirupattur, Vellore District.
2. The Tahsildar,
Office of the Tahsildar
Tirupattur, Vellore District.

+1 cc to Mr.J.Ramakrishnan, Advocate, S.R.No.25823

W.P.No.4257 of 2019

VP (CO)
SSM(22/04/2019).



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