

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 21.02.2019

C O R A M

The Honourable Mr.JUSTICE M.S.RAMESH

W.P.No.12919 of 2004

Bharathi

.. Petitioner

Vs.

1.Union of India,  
rep. by the Government of Pondicherry,  
through its Chief Secretary,  
Pondicherry.

2.The Secretary to Government (Revenue),  
Government of Pondicherry,  
Pondicherry.

3.The Deputy Tahsildar,  
Taluk Office,  
Pondicherry.

...Respondents

Petition filed under Article 226 of Constitution of India for the issuance of a Writ of mandamus directing the second respondent to issue Caste Certificate to the petitioner in terms of Constitution (Pondicherry Schedule Caste Order 1964).

For Petitioner : No appearance

For Respondents : Mr.B.Nambiselvam, AGP(P)

O R D E R

The prayer sought for in the present writ petition is for issuance of a Caste Certificate to the petitioner herein, evidencing that he belongs to Schedule caste.

2. On a perusal of the affidavit filed in support of this writ petition as well as the typed set of papers, it is seen that the petitioner even without making an application had directly approached this Court seeking for issuance of a Caste Certificate, on the apprehension that

the respondents might refuse to issue the Cast Certificate to him since his mother alone belongs to Reserved community.

3. In my considered view, the prayer sought for in this writ petition is pre-matured and there is no cause of action for filing the present writ petition. It is appropriate for the petitioner to make out an application before the concerned authority and to await for the orders to be passed in that application. In case he is aggrieved against any action in that application, it is open to the petitioner to challenge the same in the manner known to law.

4. In the light of the above observation, the petitioner is granted liberty to make out an application seeking a Caste Certificate before the third respondent, if he deems fit to do so.

5. With the above liberty, this writ petition stands closed. No costs.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

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To

1.The Chief Secretary,  
Union of India,  
Government of Pondicherry,  
Pondicherry.

2.The Secretary to Government(Revenue),  
Government of Pondicherry,  
Pondicherry.

3.The Deputy Tahsildar,  
Taluk Office,  
Pondicherry.

+1cc to Mr. , Advocate SR.No. 16799

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A.SK(25/03/2019)