

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.11.2019

CORAM:

THE HON'BLE MR. JUSTICE M.M.SUNDRESH

and

THE HON'BLE MR. JUSTICE RMT. TEEKAA RAMAN

W.P.Nos.32031 and 32032 of 2005

A.Chandramohan Raj ... Petitioner in W.P.No.32031 of 2005
A.Narasimha Raj ... Petitioner in W.P.No.32032 of 2005

vs.

1. The Revenue Divisional Officer,
Mettur Dam,
Salem District.
2. The General Manager,
Ordnance Factory,
Trichy - 16. Respondents

Writ Petitions filed under Article 226 of the Constitution of India seeking to issue writ of Certiorari, by calling for the proceedings vide Roc.No.6120/05/D and Roc.No.6121/05/D, respectively, dated 13.07.2005 of the 1st Respondent and quash the same.

For Petitioner in both W.Ps. : Mr.V.Vijay Shankar

For 1st Respondent in both W.Ps.: Mr.E.Manoharan,
Addl. Government Pleader

For 2nd Respondent in both W.Ps: No appearance

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C O M M O N O R D E R

(Order of the Court made by M.M.SUNDRESH,J.)

What is challenged in the above Writ Petitions is the communication dated 13.07.2005 sent by the Revenue Divisional Officer, Mettur to the District Collector, Salem.

2. Though the learned counsel for the Petitioner in both Writ Petitions submitted that, the impugned order has been passed hastily without even conducting proper enquiry, and that no records were available in the Revenue Divisional Office in the State of Tamil Nadu, the learned Additional Government Pleader appearing for the Respondents, disputed the same.

3. We are not inclined to go into the said issue now and we direct the Petitioners to approach the State Level Committee. We expect the State Level Committee to render a finding on the issuance of Community Certificate to the Petitioners, including the fact as to whether the Petitioners belong to Schedule Tribe Community or not, and also as to the genuineness of the Certificate, which they have relied upon. Petitioners are at liberty to approach the State Level Committee within a period of six weeks from the date of receipt of a copy of this order. We further expect the State Level Committee to conclude the proceedings within a period of four months from the date of receipt of the representation from the Petitioners, as indicated above.

4. We make it clear that the departmental proceedings initiated by the 2nd Respondent against the Petitioners herein, shall be kept in abeyance till appropriate final orders are passed by the State Level Committee.

Writ Petitions are disposed of with the above direction. No costs. Consequently, connected W.P.M.P.No.35048 and 35050 of 2005 are closed.

Sd/-
Assistant Registrar (CS-IV)

// True Copy//

Sub Assistant Registrar

(aeb)

To:

1. The Revenue Divisional Officer,
Mettur Dam, Salem District.
2. The General Manager,
Ordnance Factory, Trichy - 16.

+2ccs to Mr.V.Vijay Shankar, Advocate, SR.Nos.91753, 91755.
+4ccs to Mr.M.Arvind Kumar, Advocate, SR.Nos.91468, 91467,
+1cc to Government Pleader, SR.No.92505.

Common Order in
W.P.Nos.32031 & 32032 of 2005

(CO)
CSR(12/12/2019)