

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.04.2019

CORAM

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

Writ Petition No.7897 of 2019

S.Neelavathi
W/o.Sudhakaran

...Petitioner

Vs

The Revenue Divisional Officer,
Tiruvallur, Tiruvallur District.

.... Respondents

Writ Petition filed under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing respondent to issue Community Certificates to the petitioner's children viz., S.Yamini and S.Tharsini that they belong to Kattunayakan (ST) Community based upon the Community Certificate already issued to the petitioner, her brother and father.

For Petitioner : Mr.V.Elangovan

For Respondents : Mr.J.Pothiraj
Special Government Pleader

O R D E R

[Order was delivered by R.SUBBIAH,J]

Petitioner has filed the above Writ Petition praying for issuance of a Writ of Mandamus directing respondent to issue Community Certificates to her children viz., S.Yamini and S.Tharsini that they belong to Kattunayakan (ST) Community based upon the Community Certificate already issued to her, her brother and father.

2. Heard learned counsel for petitioner and learned Special Government Pleader for respondent.

3. Learned counsel for petitioner submits that petitioner belongs to Kattunayakan Community, which is a Scheduled Tribe Community and she is a deserted woman. Pursuant to orders

issued by this Court, Community Certificates were issued to the petitioner, her father and brother. Petitioner submitted an application, along with necessary documents, to the respondent on 27.10.2016 seeking issuance of Community Certificates to her children viz., S.Yamini and S.Tharsini, stating that they belong to Kattunayakan (ST) Community. Respondent has forwarded the said application to the Tahsildar, Avadi, for conducting enquiry and to submit a report. Since no action was taken, petitioner submitted another application to the respondent on 19.04.2018. Such application has also been forwarded to the Tahsildar, Avadi, but no action was taken. Learned counsel further submits that when the petitioner and his close relatives possess a valid Community Certificate to the effect that they belong to Kattunayakan Community, there is no impediment for the respondent to issue Community Certificates to the petitioner's children to that effect.

4. Considering the submissions made, this Court is of the view that when the petitioner and her close relatives possess a valid Community Certificate to the effect that they belong to Kattunayakan Community, there is no hurdle for the respondent in issuing Community Certificate to her children, as sought for by the petitioner.

5. Accordingly, this Court directs the respondent to issue Community Certificates to the petitioner's children viz., S.Yamini and S.Tharsini stating that they belong to Kattunayakan (ST) Community, within a period of six weeks from the date of receipt of this order. This Court makes it clear that after issuance of Community Certificates to the petitioner's children, the respondent is at liberty to send the same for verification to the State Level Scrutiny Committee.

The Writ Petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(Insp.Cell)

//True Copy//

Sub Assistant Registrar

gm

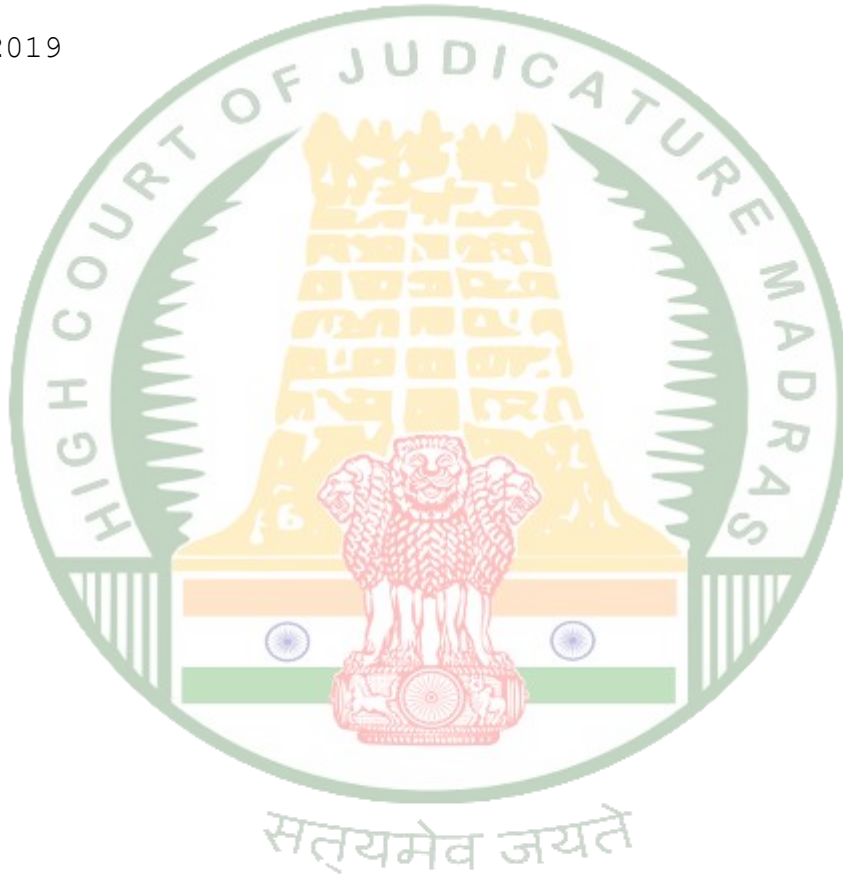
To

The Revenue Divisional Officer,
Tiruvallur,
Tiruvallur District.

+1cc to M/S.S.Doraisamy, Advocate, S.R.No.37906
+1cc to the Government Pleader, S.R.No.38180

Writ Petition No.7897 of 2019

RJ(CO)
CS/27/04/2019



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