

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 26.03.2019

Coram

The Hon'ble Mr. Justice R. Subbiah
and
The Hon'ble Mr. Justice Krishnan Ramasamy

Writ Petition No.9025 of 2019

D. Beeran

...Petitioner

Vs.

The Revenue Divisional Officer,
Dharmapuri,
Dharmapuri District.

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, directing the respondent to pass orders on the application of the petitioner dated 24.07.2018 for the issuance of community certificate to the petitioner's two sons and one daughter namely 1) B.Azhaguvel 2) B.Thangavel and 3) B.Mahalakshmi that they belong to Kurumans (ST) Community based upon the community certificate already issued to the petitioner's brother's daughter Kumutha and sister's son Kumaresan.

For Petitioner : Mr.S.Doraisamy

For Respondent : Mr.J.Pothiraj,
Special Government Pleader.

सत्यमेव जयते
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 respondent to pass orders on the application for the petitioner dated 24.07.2018 for the issuance of community certificate to the petitioner's two sons and one daughter, namely 1) B.Azhaguvel 2) B.Thangavel and 3) B.Mahalakshmi that they belong to Kurumans (ST) Community based upon the community certificate already issued to the petitioner's brother's daughter Kumutha and sister's son Kumaresan.

2. The contention of the learned counsel appearing for the petitioner is that an application dated 24.07.2018, was made requesting the respondent to issue community certificate stating that they belong to Kurumans (ST) community and along with the said application, he also enclosed the following documents:

(a) Community Certificate of Kumutha who is petitioner's brother's daughter.

(b) Community Certificate of Jekesh who is petitioner's brother's son.

(c) Community Certificate of Kumaresan who is petitioner's sister's son.

3.The respondent forwarded the said application to the Tahsildar, Pennagaram on 09.08.2018 to conduct an enquiry. Till date, no enquiry was conducted. Subsequently, the reminder was also sent to the Tahsildar, Pennagaram on 23.02.2019, and inspite of the same, no order has been passed.

4.Considering the above submissions, this Court directs the respondent, to conduct an enquiry and to call for the records from the Tahsildar, Pennagaram and pass orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order, after giving an opportunity of hearing to the petitioner. It is made clear that this Court has not considered the merits of the matter and it is for the respondent to consider the same at the time of disposing of the said application. Accordingly, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar (CS-VI)

//True copy//

Sub Assistant Registrar

vkr

To

The Revenue Divisional Officer,
Dharmapuri, Dharmapuri District.

+1cc to Mr.S.Doraisamy, Advocate SR.No.28446

+1cc to Government Pleader SR.No.29211

Writ Petition No.9025 of 2019

PMS (CO)
GMY (15/04/2019)