

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 22.04.2019

Coram

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

Writ Petition No. 11459 of 2019

Murugan

...Petitioner

Versus

1. The Revenue Divisional Officer,
Revenue Divisional Office,
Krishnagiri, Krishnagiri District

2. The Tahsildar,
Taluk Office,
Pochampalli,
Krishnagiri District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, directing the first respondent to consider and dispose of the petitioner's appeal petition dated 04.03.2019 for issuance of "Panniandi" Schedule Caste Community Certificate to the petitioner's sons and daughter namely Mr. M. Nandha Kumar, Minor. M. Thirupathi and Ms. M. Nandhini within the time to be stipulated by this Hon'ble Court.

For Petitioner : Mr. R. Bharathkumar

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

O R D E R

[Order of the Court was made by R. SUBBIAH, J]

The petitioner has filed the above Writ Petition praying for issuance of a Writ of Mandamus, directing the first respondent to consider and dispose of the petitioner's appeal petition dated 04.03.2019 for issuance of "Panniandi" Schedule Caste Community Certificate to the petitioner's sons and daughter, namely Mr. M. Nandha Kumar, Minor. M. Thirupathi and Ms. M. Nandhini.

2. According to the petitioner, his family belongs to "Panniandi" Community, which is recognized as Schedule Caste as per G.O.Ms.No.1564, dated 30.07.1965. The petitioner as well as his wife did not attend the school and they had no occasion to obtain the Community Certificate. The petitioner's brother belongs to "Panniandi" Community, which is classified as Schedule Caste. The petitioner's brother was issued with a Community Certificate by the Thasildar, Krishnagiri dated 08.02.2016. The petitioner has two sons and one daughter namely, Mr.M.Nandha Kumar, Minor.M.Thirupathi and Ms.M.Nandhini. The petitioner submitted that Educational Authorities are insisting to submit the Schedule Caste Community Certificate. The petitioner has approached the second respondent herein, for issuance of the Schedule Caste Community Certificate and applied for the same through online. But, the second respondent herein, without considering the petitioner's grievance and also the Community Certificate of his niece, rejected petitioner's two applications both dated 15.11.2018.

3. As against the order of rejection, the petitioner sent an Appeal Petition dated 04.03.2019 to the first respondent herein, by RPAD enclosing his brother's daughter's Community Certificate. Since no action was taken, the petitioner approached this Court by way of the present writ petition for the relief stated supra.

4. The learned counsel appearing for the petitioner would submit that petitioner's brother and brother's daughter are having a valid Community Certificate.

5. Considering the limited scope of the prayer sought for by the petitioner, this Court directs the first respondent, to dispose of the petitioner's appeal 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 first respondent to consider the same at the time of disposing of the said application.

6. With the above observations and directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(Insp.cell)

//True copy//

Sub Assistant Registrar

vkrr

To:

1.The Revenue Divisional Officer,
Revenue Divisional Office,
Krishnagiri, Krishnagiri District

2.The Tahsildar,
Taluk Office,
Pochampalli,
Krishnagiri District.

+1cc to Mr.R.Bharthkumar, Advocate SR.No.39154

+1cc to Government Pleader SR.No.38833

Writ Petition No.11459 of 2019

RSY (CO)
GMY (27/04/2019)



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