

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 Nos.10885 and 10888 of 2019

M.N.Arvinthsamy ...Petitioner in W.P.No.10885 of 2019

M.N.Thilak Arjunaa ...Petitioner in W.P.No.10888 of 2019

Versus

The Revenue Divisional Officer,
Mettur Dam. ...Respondent in both W.Ps.

COMMON PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, directing the respondent to issue community certificate to the petitioner to the effect that he belongs to Hindu Konda Reddis Community (ST) pursuant to the application made by the petitioner on 06.01.2014.

For Petitioner : Mr.V.Vijayashankar

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

C O M M O N 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 respondent to issue community certificate to the petitioner to the effect that he belongs to Hindu Konda Reddis Community (ST) pursuant to the application made by the petitioner on 06.01.2014.

2. According to both the petitioner, his family belongs to the Hindu Konda Reddis Community which is classified as Scheduled Tribe as per the Constitution Scheduled Tribes order 1950. The petitioner's father was issued with a Community Certificate by the Thasildar, Mettur Dam in the year 1978. The

petitioner's father and mother have been issued with Community Certificate that they are belonging to the Konda reddis community. The petitioner's mother was the President of the Kolathur Town Panchayat having been elected under the ST category for the past five years.

3. On 06.01.2014, the petitioner submitted an application to the Revenue Divisional Officer for issuance of Community Certificate in the prescribed format. The petitioner attended enquiry and submitted all documents. The matter is still pending before the Revenue Divisional Officer. Hence, the petitioner submitted a representation on 04.01.2019 to the Revenue Divisional Officer requesting him to expedite to issue Community Certificate. Since no action was taken, he 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 father and mother are having a valid Community Certificate.

5. Accordingly, we direct the respondent to issue Community Certificate to both the petitioner, within a period of two weeks from the date of receipt of a copy of this order. We make it clear that after issuance of the Community Certificate to the petitioner, the respondent is at liberty to send the same for verification to the State Level Scrutiny Committee, including the Community Certificates already issued to both of the petitioner's father and mother, if they have not yet been verified by the State Level Scrutiny Committee. The State Level Scrutiny Committee is directed to conduct enquiry with regard to the genuineness of all those Community Certificate already issued and also the ones that will be issued to the petitioner as directed above and pass appropriate orders on or before 31.10.2019.

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

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To:

1. The Revenue Divisional Officer,
Mettur Dam.
2. The Chairman,
The State Level Scrutiny Committee,
Secretariat, Chennai 600 009.

+2cc to Mr.V.Vijay Shankar, Advocate Sr.38654 and 38655
+1cc to the Government Pleader Sr.38849

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srg 27/04/2019



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