

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 14.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH
and
THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.Nos.11411, 12359 and 12485 of 2019

N.Mohan Kumar	.. Petitioner in W.P.No.11411 of 2019
D.Rajesh	.. Petitioner in W.P.No.12359 of 2019
R.Saravanan	.. Petitioner in W.P.No.12485 of 2019

Vs.

The Sub-Collector/
Revenue Divisional Officer,
Mettur Dam,
Salem District. .. Respondent in all the Writ Petitions

Writ Petition No.11411 of 2019 filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus to call for the records of the respondent in its No.Pa.Mu.No.2930/2017/D (Sl.No.23/29), dated 23.03.2018 and quash the same and consequently direct the respondent to issue Community Certificates to the petitioner's minor sons M.Sanjay and M.Sajan to the effect that they belong to the Hindu Konda Reddis Community (ST) in the light of the Community Certificate issued in favour of the petitioner's father's brother's son R.Venkatesh on 25.04.1987.

Writ Petition No.12359 of 2019 filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus to call for the records of the respondent in its No.Ka.No.1310/2017/D, dated 31.08.2017 and quash the same and consequently direct the respondent to issue Community Certificates to the petitioner's minor son and daughter R.Likhith and R.Laksanadev to the effect that they belong to the Hindu Konda Reddis Community (ST) in the light of the Community Certificate issued in favour of the petitioner's mother's brother's son R.Venkatesh on 25.04.1987 and petitioner's mother's brother's daughter Sangeetha, dated 30.06.1986.

Writ Petition No.12485 of 2019 filed under Article 226 of the Constitution of India, praying for issuance of a Writ of

Certiorarified Mandamus to call for the records of the respondent in its No.Pa.Mu.No.2930/2017/D Sl.No.3/29, dated 23.03.2018 and quash the same and consequently direct the respondent to issue Community Certificates to the petitioner's two minor sons S.Pradeep and minor S.Krishna Prakash to the effect that they belong to the Hindu Konda Reddis Community (ST) in the light of the Community Certificate issued in favour of the petitioner's father's brother.

For petitioner in all W.Ps. : Mr.V.Vijay Shankar
 For respondent in all W.Ps. : Mr.V.Shanmuga Sundar,
 Special Government Pleader

COMMON ORDER

(The Common Order of the Court was made by R.Subbiah, J)

Since the issue involved in all these Writ Petitions, is one and the same, the same are being disposed of by this common order.

2. In similar facts and circumstances, this Court, in W.P.No.7989 of 2019, etc., batch, by order dated 02.08.2019, had dealt with the issue and observed/directed as follows:

"4. Heard the submissions of both sides and perused the materials available on record.

5. It is the contention of the learned counsel for the petitioners in all these Writ Petitions that the petitioner(s) are requesting for issuance of Community Certificates to them or to their children, as the case may be, based on the Community Certificates already available with the blood relatives of the petitioner(s).

6. This Court is not conducting any roving enquiry in all these Writ Petitions filed under Article 226 of the Constitution of India with regard to the relationship between the petitioners and their blood relatives. Therefore, this Court is not inclined to issue any direction as sought for in these Writ Petitions. Accordingly, these Writ Petitions are dismissed. However, the petitioners are directed to file appeal before the competent authority/concerned authority in the light of the above said G.O. (Ms).No.147, Revenue Department, dated 17.03.2016, as against the impugned orders of rejection of the applications seeking for

issuance of Community Certificates to the petitioners' children or the children, as the case may be. No Costs."

3. Accordingly, while following the order passed in the above said batch of Writ Petitions, this Court directs the petitioners herein also to file appeal before the competent authority/concerned authority in the light of G.O.(Ms).No.147, Revenue Department, dated 17.03.2016, as against the impugned orders of rejection of the applications seeking for issuance of Community Certificates to the petitioners' children, as named in the prayer made in these Writ Petitions. No Costs.

4. With the above observations and directions, these Writ Petitions are disposed of. No Costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

The Sub-Collector/Revenue Divisional Officer,
Mettur Dam, Salem District.

+3cc to Mr.V.Vijay Shankar, Advocate Sr.No.69922,69924 and 69925

AKM/15.10.19/3P-5C /
AKM/01.11.19

सत्यमेव जयते

Common Order
in

W.P.Nos.11411, 12359 and 12485
of 2019

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