

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.04.2019

CORAM

THE HON'BLE MR.JUSTICE R.SUBBIAH
and
THE HON'BLE Mr.JUSTICE KRISHNAN RAMASAMY

Writ Petition No.12502 of 2019

N.Govindaraju

...Petitioner

Vs.

The Sub Collector,
Mettur,
Salem District.

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondent to conduct the enquiry along with the Research Officer who has intimate knowledge in identifying the tribes/ anthropologist in respect of Konda Reddy community and issue the Communitiy Certificates to the petitioner 's children namely G.V.Prahana, G.V.Parhavi and pass order based on my application dated on 23.01.2018.

For Petitioner : Mr.N.Naganathan

For Respondent : 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 respondent to conduct the enquiry along with the Research Officer who has intimate knowledge in identifying the tribes/ anthropologist in respect of Konda Reddy community and issue the Communitiy Certificates to the petitioner's children namely G.V.Prahana, G.V.Parhavi and pass order based on his application dated on 23.01.2018.

2. The petitioner belongs to "Konda Reddy Community" which is recognized as "Schedule Tribe". The petitioner submitted that he was issued a Community Certificate to that effect by Tahsildar, Mettur on 22.11.1978. Based on his Community Certificate, the petitioner has applied for Community Certificate to his children namely G.V.Prahana and G.V.Parhavi before the respondent herein on 23.01.2018. The School records of children and village records shows that the petitioner's children belong to the Konda Reddy Community. The petitioner's family and predecessors had been living in that locality more than 8 decades.

3. The petitioner further submitted the said application was filed as early as on 23.01.2018, but till date, the respondent either rejected his application or passed any order on his application and the Tahsildar has not conducted any enquiry. He repeatedly made a request to the respondent to process his application and conduct the enquiry along with anthropologist who has intimate knowledge about the Scheduled Tribe, particularly in Konda Reddy Community. However, the respondent refused to accept his grievances. Since no action was taken, the petitioner approached this Court by way of the present writ petition for the relief stated supra.

4. Heard learned counsel for the petitioner and learned Special Government Pleader appearing for the respondent.

5. Learned Special Government Pleader appearing for the respondent submitted that orders would be passed on the representation of the petitioner, after conducting enquiry.

6. Considering the facts and circumstances of the case, this Writ Petition is disposed of by directing the respondent to conduct an enquiry on the said application of the petitioner and pass appropriate orders on merits and in accordance with law, as expeditiously as possible, in any event, within a period of six weeks from the date of receipt of copy of this order. Accordingly, this Writ Petition is disposed of. No costs.

vkr

WEB COPY

Sd/-
Assistant Registrar(C.O.)

//True Copy//

Sub Assistant Registrar

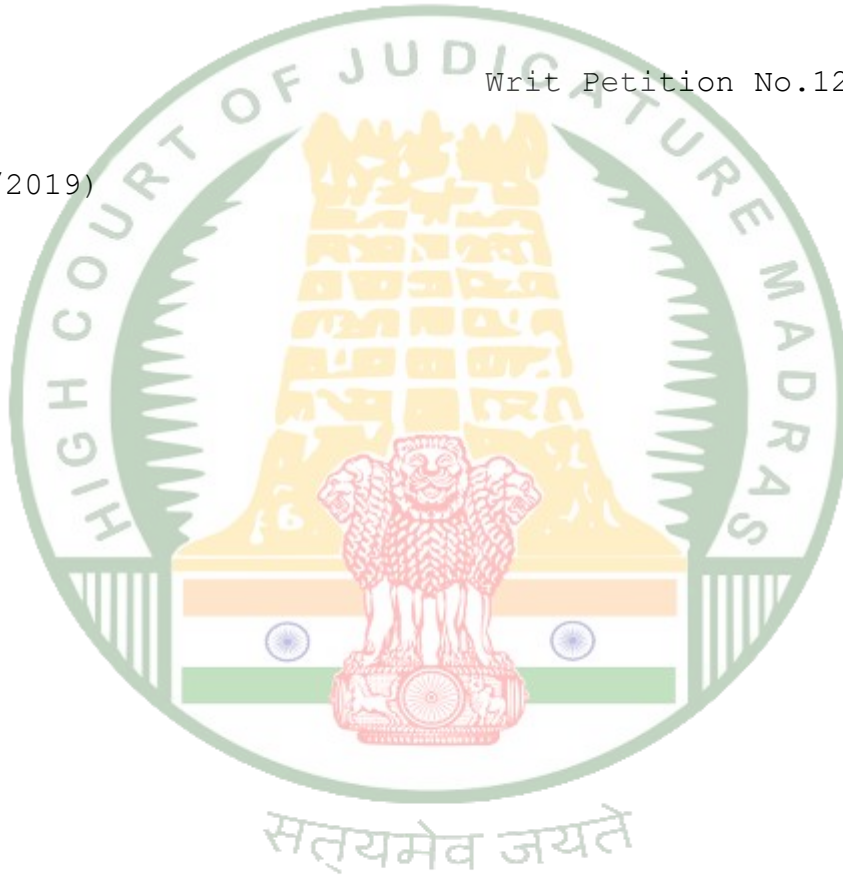
To
The Sub Collector,
Mettur,
Salem District.

+1cc to Mr.N.Naganathan, Advocate, SR.No.40302

+1cc to the Govt.Pleader, Vide Sr.No.41263

Writ Petition No.12502 of 2019

Kak(03/05/2019)



WEB COPY