

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.06.2019

CORAM

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

Writ Petition No.12437 of 2019

J.Maniverma
S/o.R.Jayaraman

...Petitioner

Vs

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

... Respondent

Writ Petition filed under Article 226 of The Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records of the respondent in its No.Pa.Mu.No.2930/2017/DSl.no.14,16/29 dated 23.03.2018 and quash the same and consequently direct the respondent to issue community certificates to the petitioner to the effect that he belong to the Hindu Konda Reddis Community (ST) in the light of the community certificate issued in favour of the petitioner's father.

For Petitioner : Mr.V.Vijay Shankar

For Respondent : Mr.V.Shanmuga Sundar,
Special Government Pleader

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O R D E R

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

Petitioner has filed the present Writ Petition seeking quash of the proceedings of the respondent in No.Pa.Mu.No.2930/2017/DSl.no.14,16/29 dated 23.03.2018 and quash the same and consequently direct the respondent to issue community certificates to the petitioner to the effect that he belong to the Hindu Konda Reddis Community (ST) in the light of

the community certificate issued in favour of the petitioner's father.

2. According to the petitioner, he belongs to Hindu 'Konda Reddis' Community (ST). Petitioner's father and his close relatives were also holding such Community Certificate. Petitioner submitted applications on 20.10.2016 seeking issuance of Community Certificates to him to the respondent enclosing all the relevant documents. However, the respondent rejected the application by his proceedings dated 23.03.2018. Having no other option, petitioner has approached this Court seeking the aforesaid relief.

3. Heard learned counsel for petitioner and learned Special Government Pleader for respondent.

4. Learned counsel for petitioner made detailed submissions advertng to the averments made in the affidavit filed in support of the Writ Petition.

5. Per Contra, learned Special Government Pleader for respondent submitted that due enquiry was conducted and it was found that the petitioner did not belong to Hindu 'Konda Reddis' Community (ST) and hence, the petitioner's applications were rejected and therefore, this Court may not issue positive direction.

6. This Court has considered the rival submissions.

7. In similar circumstances, this Court has issued positive direction to issue Community Certificate where the close/other relatives were issued with such Community Certificates. In this case, till date, the Community Certificates issued to the petitioner and his family members have not been cancelled. Given such position, this Court finds some justification in the prayer sought for by the petitioner.

8. Accordingly, this Court quashes the proceedings of the respondent in No.Pa.Mu.No.2930/2017/DS1.no.14,16/29 dated 23.03.2018 and directs the respondent to issue Community Certificate to the petitioner that the petitioner belongs to Hindu 'Konda Reddis' Community (ST) within a period of six weeks from the date of receipt of this order. 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 the relatives of the petitioner, if the petitioner has 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 the Community Certificates already issued and also the one that will be issued to

petitioner and pass appropriate orders on or before 31.08.2019.

9.The Writ Petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar (CS VI)

//True Copy//

Sub Assistant Registrar

AT

To

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

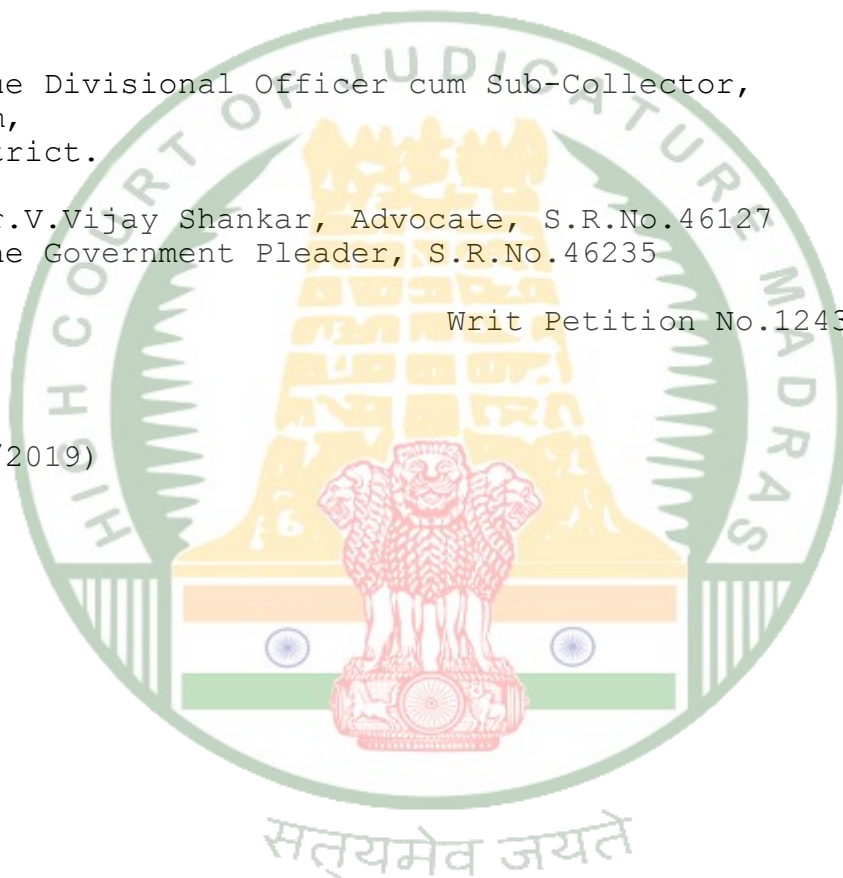
+1cc to Mr.V.Vijay Shankar, Advocate, S.R.No.46127

+1cc to the Government Pleader, S.R.No.46235

Writ Petition No.12437 of 2019

PMS (CO)

RRS (20/06/2019)



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