

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.12514 OF 2019

M.Visvanathan

...Petitioner

Vs.

1. The District Revenue Officer,
Thiruvallur District, Thiruvallur.

2. The Revenue Division Officer,
Thiruttani Division,
Thiruttani, Thiruvallur District.

...Respondents

PRAYER:

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 02.04.2019 and issue Scheduled Tribe Community Certificate to the petitioner.

For Petitioner : Mr.Ashok Kumar

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 respondents to consider the petitioner's representation dated 02.04.2019 and issue Scheduled Tribe Community Certificate to the petitioner.

2. The petitioner and his family have been living in Thiruttani, Thiruvallur District. He belongs to "Kaatu Naickan caste" which is listed as "Schedule Tribe" in the State of Tamil Nadu. The petitioner has completed his SSLC in the year 2005 and in the petitioner's Transfer Certificate, his community is mentioned as Kattu Naickan. The petitioner submitted that his father was issued a Community Certificate to the effect that his

father belongs to Kaatu Naickan, Schedule Tribe by the Tasildar of Thiruttani. He made several applications before the concerned officers to issue Community Certificate, but till date, no steps were taken to issue Community Certificate considering his representation. For the above said reasons, he was unable to pursue his studies and unable to get a better job.

3.The petitioner further submitted that in the year 2010 the petitioner's father made a representation before the Collector, Thiruvallur District to issue Community Certificate enclosing a copy of his father's Community Certificate dated 16.02.1987. But no steps were taken on his father's representation. On 02.04.2019, the petitioner made a detailed representation to the respondents enclosing his father's Community Certificate and related documents pertaining to his community. 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 respondents.

5. Considering the above facts and circumstances of the case and the limited scope of the prayer made in this Writ Petition, without going into the merits of the case, we direct the respondents to consider the said representation dated 02.04.2019, conduct enquiry, afford an opportunity of personal hearing to the petitioner and necessary parties and pass appropriate orders and dispose of the said representation, on merits and in accordance with law, within a period of six weeks from the date of receipt of copy of this order. It is made clear that this Court has not expressed any opinion on the merits of the claim of the petitioner and it is for the respondents to decide the same at the time of disposing of the said representation purely on merits.

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

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

vkrr

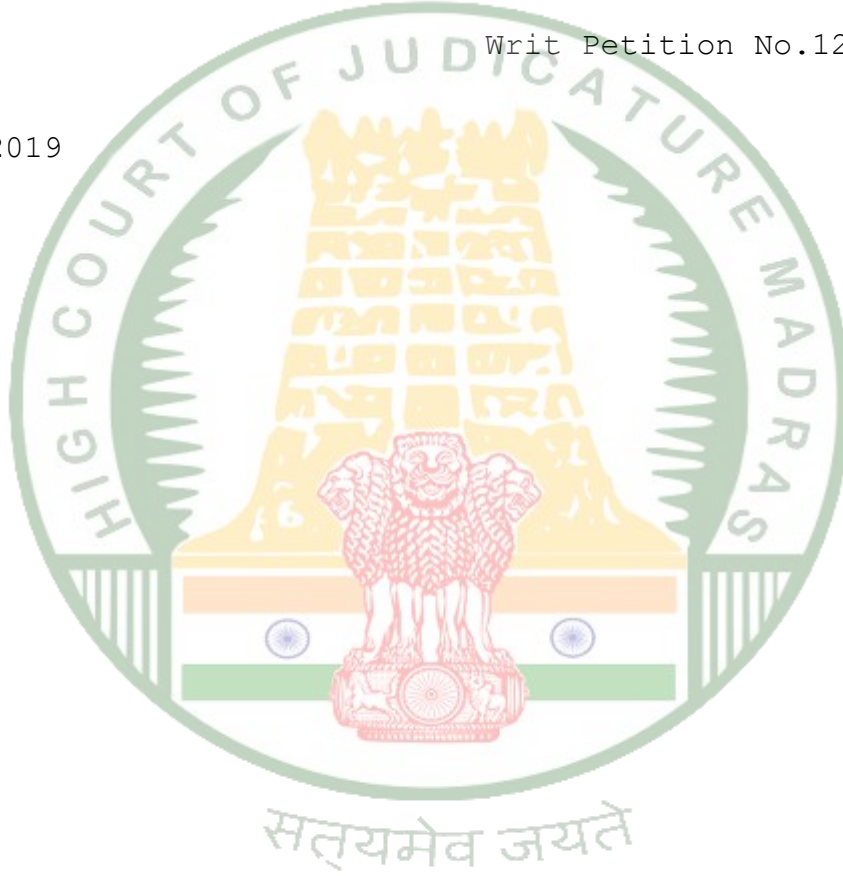
To:

1. The District Revenue Officer,
Thiruvallur District, Thiruvallur.
2. The Revenue Division Officer,
Thiruttani Division,
Thiruttani, Thiruvallur District.

+lcc to Mr.Ashok Kumar, Advocate, S.R.No.40242
+lcc to the Government Pleader, S.R.No.41266

Writ Petition No.12514 of 2019

MG(CO)
CS/08/05/2019



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