

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.06.2019

CORAM

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

Writ Petition No.12498 of 2019

G.Balakrishnamoorthy

...Petitioner

Vs

The Revenue Divisional Officer,
Mettur,
Salem District.

... Respondent

Writ Petition filed under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the respondent to issue community certificate to the petitioner's daughters B.Menaka and B.Sowmya that they belong to "Kondareddies (ST) community" based upon the community certificate already issued to the petitioner, his wife and other family members.

For Petitioner : Mr.S.Doraiswamy

For Respondent : M/s.Narmadha Sampath,
Additional Advocate General
Assisted by Mr.V.Shanmuga Sundar
Special Government Pleader

सत्यमेव जयते
O R D E R

[Order was delivered 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's daughters -- B.Menaka and B.Sowmya that they belong to "Kondareddies (ST) community" based upon the Community Certificate already issued to the petitioner, his wife and other family members.

2. Heard learned counsel for the petitioner and learned Additional Advocate General, assisted by the learned Special Government Pleader appearing for the respondent.

3. The case of the petitioner is that he belongs to "Kondareddies (ST) Community" and in all school records, his community is recorded as "Kondareddies (ST)". Presently, he is working as a Clerk in Canara Bank at Koneripatti and he has obtained Community Certificate from the Tahsildar, Mettur on 14.07.1978. in which it has been stated that the petitioner belongs to "Kondareddies" Community. Likewise, the petitioner's wife M.Nirmala has also obtained Community Certificate from the Tahsildar, Mettur on 12.09.1978. Now, the petitioner has applied for issuance of Community Certificate to his daughters, namely B.Menaka and B.Sowmya on various dates and since the same was not considered, he has come forward with the present Writ Petition for the relief stated supra.

4. Today, when the matter is taken up for consideration, the learned Additional Advocate General submitted that now the Tahsildar, Mettur has been addressed to conduct field enquiry (which is evident from the Letter, dated 25.06.2019 addressed by the Revenue Divisional Officer, Mettur to the learned Special Government Pleader) and the learned Additional Advocate General further submitted that final orders will be passed by the respondent-Revenue Divisional Officer, after obtaining report from the Tahsildar, Mettur, within a period of two weeks thereafter.

5. Accordingly, in view of the above submission made by the learned Additional Advocate General, without going into the merits of the case, this Court records the above submission of the learned Additional Advocate General. The entire exercise shall be completed by the respondent-RDO within a period of two weeks as undertaken above by the learned Additional Advocate General, on receipt of the report from the Tahsildar, Mettur. While passing the orders, the respondent-RDO is directed to consider all other Community Certificates of the family members of the petitioner. It is made clear that we are not expressing any opinion on the merits of the matter and it is for the respondent-RDO to decide the issue purely on merits.

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

Sd/-

Assistant Registrar (CS-II)

//True copy//

Sub Assistant Registrar

dpq

To
The Revenue Divisional Officer,
Mettur,
Salem District.

+1cc to Mr.S.Doraiswamy, Advocate SR.No.53939

Writ Petition No.12498 of 2019

RR (CO)
GMY (22/07/2019)



WEB COPY