

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.09.2019

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH
and
The Hon'ble Mr. Justice RMT. TEEKAA RAMAN

W.P. Nos. 23354 & 23356 of 2018

P.Dhanarakshakan ... Petitioner
in WP 22354/18

S.Palaninathan ... Petitioner
in WP 23356/18

-vs-

1.The State Level Caste Scrutiny Committee
Rep. by its Chairman,
Adi-Dravidar and Tribal Welfare Department,
Secretariat, Chennai - 09.

2.The Deputy Superintendent of Police
Social Justice & Human Rights Unit
Vigilance Cell
Erode - 638 001. ... Respondents
in WP 22354/18

1.The State Level Caste Scrutiny Committee
Rep. by its Chairman,
Adi-Dravidar and Tribal Welfare Department,
Secretariat, Chennai - 09.

2.The Deputy Superintendent of Police,
SC/ST Vigilance Cell,
District Police Office,
Namakkal District. ... Respondents
in WP 23356/18

Prayer in WP 22354 of 2018: Petition filed under Article 226 of the Constitution of India to call for the records relating to the proceedings dated 14.07.2018 of the second respondent and quash the orders passed therein and consequently forbear the respondent from conducting or re-opening the enquiry with regard to the verification of the community certificate of the petitioner, in violation of principles laid down by the Hon'ble

Supreme Court in its decision rendered in Madhuri Patil's case reported in (1994) 6 SCC 241 by the issue of Writ of certiorarified mandamus.

Prayer in WP 23356 of 2018: Petition filed under Article 226 of the Constitution of India to call for the records relating to the proceedings bearing C.No.62/DSP/SC/ST Vigilance Cell/Namakkal District dt. 20.08.2018 of the second respondent and quash the order passed therein and consequently forbear the respondents from conducting or re-opening the enquiry with regard to the verification of the community certificate of the petitioner, in violation of the principles laid down by the Hon'ble Supreme Court in its decision rendered in Madhuri Patil's case reported in (1994) 6 SCC 241 by the issue of a Writ of certiorarified mandamus.

For Petitioner : Mr.Yogesh Kannadasan
(in both)

For Respondents : Mr.E.Manoharan, AGP
(in both)

COMMON ORDER

[Order of the Court was made by M.M.SUNDRESH, J.]

Challenging the orders of the second respondent dated 14.07.2018 and 20.08.2018 and to forbear the respondents from conducting or re-opening the enquiry with regard to the verification of the community certificate of the petitioners, the present writ petitions have been filed.

2. The learned counsel appearing for the petitioners submitted that the issue raised has already been covered by this Court in W.P.No. 21765 of 2018 dated 02.04.2019. The order passed in W.P.No.21765 of 2018 is extracted hereunder:-

"The petitioner has filed the above Writ Petition praying for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the proceedings bearing Na.Ka.No.72.SJ&HR/2017 dated 19.04.2018 of the respondent and quash the order passed therein and consequently forbear the respondent from conducting or re-opening the enquiry with regard to the verification of the community certificate of the petitioner, in violation of the principles laid down by the Hon'ble Supreme

Court in its decision rendered in Madhuri Patil's case reported in (1994) 6 SCC 241.

2. The issue involved in this writ petition is covered by the order of this Court dated 08.03.2019 in W.P.(MD)Nos. 9686 etc. batch, wherein, this Court (Madurai Bench) has dismissed the writ petitions and following the same, the present writ petition is also dismissed on the same lines. No costs. Consequently, connected miscellaneous petition is closed."

3. In view of the above, these writ petitions stand dismissed on the same lines. No costs. However, liberty is given to the petitioners to raise objections, if any. Consequently, connected WMP Nos. 27259 & 27261 of 2018 stand closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

To

- 1.The Chairman,
State Level Caste Scrutiny Committee,
Adi-Dravidar and Tribal Welfare Department,
Secretariat, Chennai - 09.
- 2.The Deputy Superintendent of Police
Social Justice & Human Rights Unit
Vigilance Cell
Erode - 638 001.
- 3.The Deputy Superintendent of Police,
SC/ST Vigilance Cell,
District Police Office,
Namakkal District.

+2cc to Mr.Yogesh Kannadasan, Advocate Sr.83829, 83828
+1cc to the Government Pleader Sr.84004

W.P. Nos. 23354 & 23356
of 2018

rsv[co]
srg 11/11/2019