



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.07.2019

CORAM:

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

W.P.No.18690 of 2019

Jaishankar

.. Petitioner

Vs.

1. The District Collector,
Chennai District.

2. The Revenue Divisional Officer,
Ambattur,
Chennai-600 053.

3. The Tahsildar,
Thiruvottiyur,
Chennai-600 019.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents to issue Community Certificate to the petitioner's children based upon the petitioner's application, dated 14.05.2018 within the specific period of time as may be fixed by this Court.

For petitioner : Mr.D.Magesh

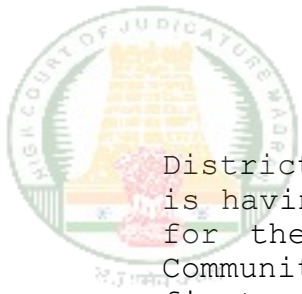
For respondents : Mr.V.Shanmuga Sundar, Spl.G.P.

ORDER

(The 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 to direct the respondents to issue Community Certificate to the petitioner's children based upon the petitioner's application dated 14.05.2018 within the specific period of time as may be fixed by this Court.

2. It is the case of the petitioner that he is residing in Manali, Chennai for the past 20 years. His native place is Sonanampatti Village, Thandarampattu Taluk, Tiruvannamalai



District. He belongs to Hindu religion and Malaiyali Caste. He is having four children, all of whom are studying in School, and for their children's education, the petitioner is in need of Community Certificate from the respondents. He applied to the first respondent on 14.05.2018 for issuance of Community Certificate to his children and the said application was also acknowledged by the first respondent. After receiving the application, the second respondent issued a letter to the third respondent through his letter in Na.Ka.No.1901/2018/A1, dated 25.06.2018, directing the third respondent-Tahsildar to conduct enquiry and report the same to the second respondent-Revenue Divisional Officer (RDO). But the third respondent had not conducted any enquiry till date and the respondents have not issued Community Certificate to the petitioner's children. Hence, the petitioner gave further applications on 13.08.2018 and 24.12.2018. But till date, no action has been taken by the respondents to issue Community Certificate to the petitioner's children. The petitioner's Community is mentioned in his Transfer Certificate and also in his brother's and mother's Community Certificate, which had been issued by the Village Administrative Officer of Athippadi Group, Thandarampattu Taluk, Tiruvannamalai District. Since the said application dated 14.05.2018 is still not yet considered, the petitioner has filed the above Writ Petition for the relief stated supra.

3. Heard both sides and perused the materials available on record.

4. Considering the limited scope of the prayer made in this Writ Petition, this Court, without going into the merits of the case, directs the respondents to consider the said application of the petitioner, dated 14.05.2018, conduct enquiry, afford an opportunity of personal hearing to the petitioner and necessary parties, pass appropriate orders and dispose of the said application on merits and in accordance with law, within a period of six weeks from the date of receipt of a 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 the said application purely on merits.

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

Sd/-

Assistant Registrar (CS-IX)

//True copy//

Sub Assistant Registrar

CS



To

1. The District Collector,
Chennai District.

2. The Revenue Divisional Officer,
Ambattur,
Chennai-600 053.

3. The Tahsildar,
Thiruvottiyur,
Chennai-600 019.

+1cc to Government Pleader SR.No.56479

W.P.No.18690 of 2019

PP (CO)
GMY (02/08/2019)