

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

Writ Petition No.18961 of 2019

G.Velumani

...Petitioner

Vs

1. The Collector,
Dharmapuri,
Dharmapuri District.

2. The Revenue Divisional Officer,
Dharmapuri,
Dharmapuri District.

3. The District Adi Dravidar and
Tribal Welfare Officer,
Dharmapuri,
Dharmapuri District.

... Respondents

Writ Petition filed under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the first respondent to dispose the appeal of the petitioner dated 15.09.2017 and to issue community certificate to the petitioner his wife Shanthi and two children viz., 1. V.Sukeswar and 2.V.Mithuna that they belong to Kurumans (ST) Community based upon the community certificate already issued to the close relatives of the petitioner.

For Petitioner : M/s.S.Doraisamy

For Respondents: Mr.V.Shanmuga Sundar
Special Government Pleader

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 a Writ of Mandamus directing the first respondent to dispose the appeal of the petitioner dated 15.09.2017 and to

issue community certificate to the petitioner his wife Shanthi and two children viz., 1. V.Sukeswar and 2.V.Mithuna that they belong to Kurumans (ST) Community based upon the community certificate already issued to the close relatives of the petitioner.

2. Heard learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents.

3. According to the Petitioner, he belongs to 'Kurumans' (ST) Community and in his School Records, his Community is entered as 'Kurumans' (ST) Community. His specific case is that he and his wife have not obtained any Community Certificate, since it was not required at that point of time. His close relative Manirathinam had secured a 'Community Certificate' from the Revenue Divisional Officer, Dharmapuri on 02.06.1997 stating that he belongs to 'Kurumans' (ST) Community.

4. The stand of the Petitioner is that the Community Certificate in issue is required for him, his wife and to his children viz., V.Sukeswar and V.Mithuna. Hence, he preferred an appeal before the first respondent on 15.09.2017, making a request for issuance of 'Community Certificate' to him, his wife and to his two children on the basis that they belong to 'Kurumans' (ST) Community. The grievance of the Petitioner is that no order is passed by the first respondent till date.

5. Considering the fact that the Petitioner's appeal praying for issuance of Community Certificate, dated 15.09.2017 is pending for passing necessary orders by the first respondent, without going into the merits of the case, this Court directs the respondents to consider the appeal of the petitioner dated 15.09.2017 and pass orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction the writ petition is disposed of. No costs.

dpq

Sd/-
Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

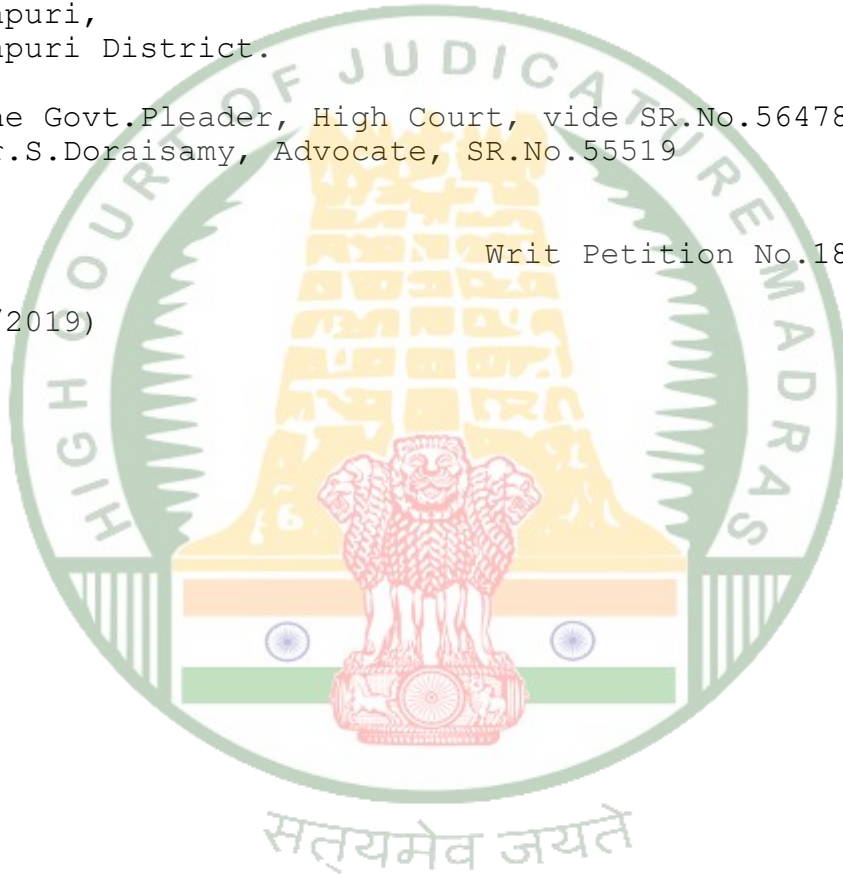
To

1. The Collector,
Dharmapuri,
Dharmapuri District.
2. The Revenue Divisional Officer,
Dharmapuri,
Dharmapuri District.
3. The District Adi Dravidar and Tribal Welfare Officer,
Dharmapuri,
Dharmapuri District.

+1cc to the Govt.Pleader, High Court, vide SR.No.56478
+1cc to Mr.S.Doraisamy, Advocate, SR.No.55519

Writ Petition No.18961 of 2019

Kak(05/07/2019)



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