

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 09.12.2019
CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH
and
THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

W.P. Nos.23891, 23894, 23896, 23900,
23903, 23905 & 23909 of 2019

D.Mahendran .. Petitioner in W.P.No.23891 of 2019

v.

1.The District Collector and Chairman,
District Level Vigilance Committee,
Salem District, Salem.

2.The Sub Collector,
Mettur Dam,
Salem District.

.. Respondents in W.P.No.23891 of 2019

Prayer in W.P.No.23891 of 2019: Petition filed under Article 226 of the Constitution of India to issue a writ of certiorarified mandamus calling for the records of the first respondent proceedings Na.Ka.No.150/ 2018/The-A dated 26.09.2018 and quash the same and direct the respondents to issue Community Certificate to the petitioner's children namely Minor M.Brindha and Minor M.Murugan to the effect that they belong to the Konda Reddy Scheduled Tribe Community on the basis of the Community Certificate issued by the Tahsildar, Mettur Taluk to the petitioner dated 08.03.1979.

W.P.No.23894 of 2019:-

S.SUTHA

W/O. V.VETRIVEL, Pannavadi Post,
Thinnapatti Village,
Kolathur via, Mettur Taluk,
Salem District- 636303

: PETITIONER

Vs

1 The District Collector and Chairman,
District Level Vigilance Committee,
Salem District, Salem.

2 The Sub Collector,
Mettur Taluk,
Salem District.

: RESPONDENTS

Prayer in W.P. No.23894 of 2019: Calling for the records of the 1st Respondent proceedings NA.KA.NO 150/2018/THE -A Dated 26.9.2018 AND quash the same and direct the Respondents to issue Community certificates to the Petitioners children namely Minor V.HARINI AND MINOR V.PRADANYAA to the effect that they belong to the Konda Reddy Scheduled Tribe Community on the basis of the Community certificate Issued by the Tahsildar, Mettur Taluk, to the Petitioner dated 30.6.1986.

W.P.No.23896 of 2019:-

R.Velmurugan, S/o.Radhakrishnan,
Door No.2/271,Pannavadi Post,
Thinnapatti Village,
Kolathur via, Mettur Taluk,
Salem District- 636303

: PETITIONER

Vs

1 The District Collector and Chairman,
District Level Vigilance Committee,
Salem District, Salem.

2 The Sub collector,
Mettur Taluk, Salem District.

: RESPONDENTS

Prayer in WP.No.23896 of 2019: Calling for the records of the 1st Respondent proceedings NA.KA.NO 150/2018/THE -A Dated 26.9.2018 and quash the same and direct the Respondents to issue Community certificates to the Petitioners children namely Minor K.Varsha and R.Dharshana to the effect that they belong to the Konda Reddy Scheduled Tribe Community on the basis of the Community certificate Issued by the Tahsildar, Mettur Taluk, to the Petitioner vide Sl.No.92/89(AG), dated 13.04.1989.

W.P.No.23900 of 2019:-

C.Devarajan , S/o.Chinaraj,
Door No.1/1-275, Dhoni Street,
Pannavadi Post,
Thinnapatti Village,
Kolathur via, Mettur Taluk,
Salem District- 636303

: PETITIONER

Vs

1 The District Collector and Chairman,
District Level Vigilance Committee,
Salem District, Salem.

2 The Sub collector,
Mettur Taluk, Salem District.

: RESPONDENTS

Prayer in W.P. No.23900 of 2019: Calling for the records of the 1st Respondent proceedings NA.KA.NO 150/2018/THE -A Dated 26.9.2018 and quash the same and direct the Respondents to issue Community certificates to the Petitioners Childre namely Minor D.Jeevitha and D.Sneha, to the effect that they belong to the Konda Reddy Scheduled Tribe Community on the basis of the Community certificate Issued to the Petitioner dated 22.11.1978.

W.P.No.23905 of 2019:-

R.Mukesh, S/o.G.Ramalingam,
Pannavadi Post,
Thinnapatti Village,
Kolathur via, Mettur Taluk,
Salem District- 636303

: PETITIONER

Vs

1 The District Collector and Chairman,
District Level Vigilance Committee,
Salem District, Salem.

2 The Sub collector,
Mettur Taluk, Salem District.

: RESPONDENTS

Prayer in W.P. No.23905 of 2019: Calling for the records of the 1st Respondent proceedings NA.KA.NO 150/2018/THE -A Dated 26.9.2018 and quash the same and direct the Respondents to issue Community certificates to the Petitioners to the effect that they belong to the Konda Reddy Scheduled Tribe Community on the basis of the Community certificate Issued to the Petitioner's Mother R.Selvi, vide. SL.No.135./86(B4), dated 30.6.1986.

W.P.No.23909 of 2019:-

Valarmathy, W/o.N.Kuppuvu Reddy,
Chandrikapuram, Pannavadi Post,
Thinnapatti Village,
Kolathur via, Mettur Taluk,
Salem District- 636303

: PETITIONER

Vs

1 The District Collector and Chairman,
District Level Vigilance Committee,
Salem District, Salem.

2 The Sub collector,
Mettur Taluk, Salem District.

: RESPONDENTS

Prayer in W.P. No.23905 of 2019: Calling for the records of the 1st Respondent proceedings NA.KA.NO 150/2018/THE -A Dated 26.9.2018 and quash the same and direct the Respondents to issue Community certificates to the Petitioners children namely K.Priyatharshini and Minor K.Pradeepvto the effect that they belong to the Konda Reddy Scheduled Tribe Community on the basis of the Community certificate Issued to the Petitioner by the Tahsildar, Mettur Taluk, vide. SL.No.386/89(AG), dated 13/04/1989.

For petitioner in W.P. : Mr.L.Chandrakumar for
No.23891 of 2019 Mr.N.Naganathan

For respondents in W.P. : Mrs.Narmadha Sampath,
No.23891 of 2019 Additional Advocate General-V
assisted by Mr.V.Shanmuga Sundar,
Special Government Pleader

COMMON ORDER

(Order of this Court was made by R.SUBBIAH,J.)

Since the impugned proceedings are identical in the writ petitions, it would be sufficient to refer to the facts in W.P. No.23891 of 2019.

2.W.P. No.23891 of 2019 has been filed challenging the impugned proceedings dated 26.09.2018 and seeking a direction to the respondents to issue community certificate to the petitioner's children, namely Minor M.Brindha and Minor M.Murugan.

3.In the affidavit filed in support of the writ petition, it is stated that the petitioner belongs to Konda Reddy Community and he was issued with a community certificate by the Tahsildar, Mettur Taluk dated 08.03.1979, after due verification of his village records. As the petitioner was having valid community certificate, he has approached the Sub Collector, Salem District, the second respondent herein to issue community certificate to his minor children. He has also produced relevant documents to show that the petitioner belongs to Konda Reddy community. Since the petitioner's application was rejected by

the first respondent, he is before this Court seeking the above direction.

4. When the matters are taken up for consideration, learned Additional Advocate General appearing for the respondents would submit that the petitioners are having appeal remedy before the State Level Scrutiny Committee.

5. In view of the submission made by the learned counsel on either side, this Court directs the petitioners to file Appeal before the State Level Scrutiny Committee as against the order passed by the District Collector, within two weeks from the date of receipt of a copy of this order. On receipt of the same, the State Level Scrutiny Committee is directed to consider the Appeal to be filed by the petitioners, preferably within a period of eight weeks thereafter. The writ petitions are disposed of accordingly. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy//

Sub Assistant Registrar

vga

To

1. The District Collector and Chairman,
District Level Vigilance Committee,
Salem District, Salem.

2. The Sub Collector, Mettur Dam.

+7CCs to N. Naganathan, Advocate, SR.No.10262.

+7CCs to SPL GP SR.No.103191, 103154, 103155,
103156, 103153, 103151, 103149.

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W.P. Nos. 23891, 23894, 23896, 23900,
23903, 23905 & 23909 of 2019

VSNII (CO)

CSR: 04/02/2020