

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. No.24181 of 2019

G.Ashok Kumar

.. Petitioner

v.

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

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

.. Respondents

Prayer: 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 Certificates to the petitioner and his children namely A.Devi Shree and A.Mithun 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 O.Sivakami dated 22.11.1978.

For petitioner : Mr.L.Chandrakumar for
Mr.N.Naganathan

For respondents : Mrs.Narmadha Sampath,
Additional Advocate General-V
assisted by Mr.E.Balamurugan
Special Government Pleader

ORDER

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

The petitioner has come up with this present Writ Petition for issuance of Certiorarified Mandamus, calling for the records of the proceedings bearing Na.Ka.No.150/2018/The-A dated

26.09.2018 issued by the first respondent and to direct the respondents to issue Community Certificates to him and his children namely A.Devi Shree and A.Mithun to the effect that they belong to the Konda Reddy Scheduled Tribe Community on the basis of the Community Certificate issued to his mother O.Sivakami dated 22.11.1978.

2.In the affidavit filed in support of the writ petition, it is stated that the petitioner belongs to Konda Reddy Community. He has approached the Sub Collector, the second respondent for issuance of Community Certificate by producing relevant documents to show that he belongs to Konda Reddy community. Since the petitioner's application was rejected by the second respondent, the petitioner filed an Appeal before the first respondent, which has passed the impugned proceedings, confirming the order passed by the second respondent. Feeling aggrieved, the petitioner is before this Court seeking the above direction.

3.When the matter is taken up for consideration, learned Additional Advocate General appearing for the respondents would submit that the petitioner is having appeal remedy before the State Level Scrutiny Committee.

4.In view of the submission made by the learned counsel on either side, this Court is constrained to direct the petitioner to file an Appeal before the State Level Scrutiny Committee within a period of 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 petitioner, preferably within a period of eight weeks thereafter. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(JJ Act)

// True Copy//

Sub Assistant Registrar

vga

To

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

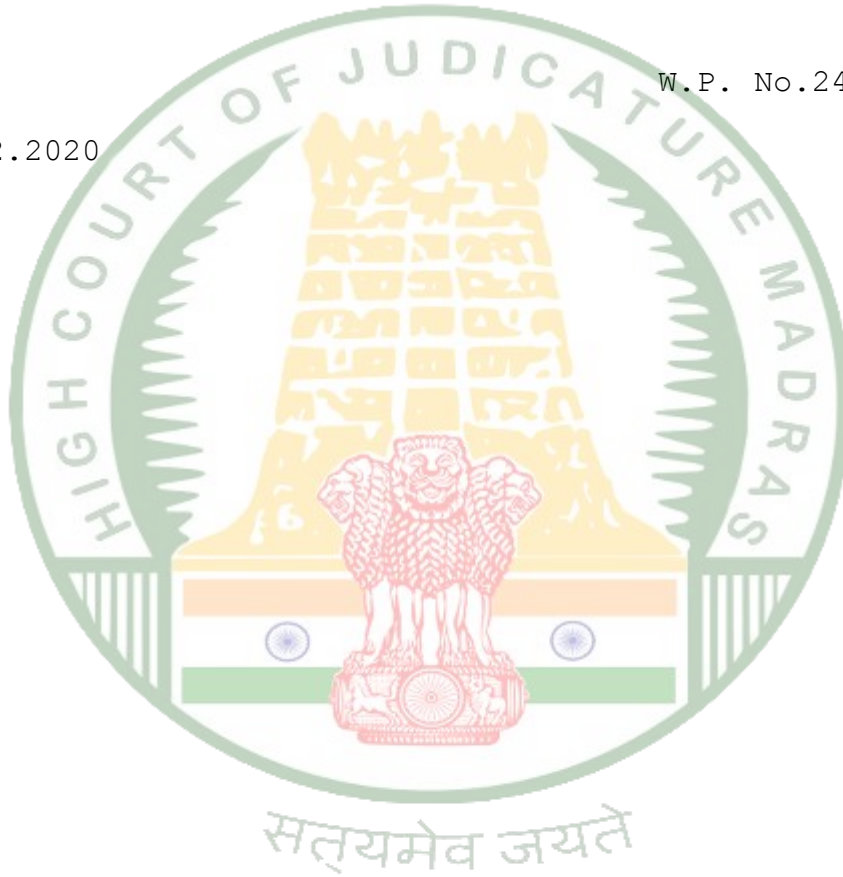
2.The Sub Collector,
Mettur Taluk, Salem District.

3.The Chairman,
Tamil Nadu State Level Scrutiny committee
and Secretary to Government,
Adi Dravidar and Tribal Welfare Department,
Namakkal Kavingar Maligai, Secretariat,
Chennai.

+lcc to Mr.N.Naganathan, Advocate, SR.No.102626.

SSV(CO)
CSR: 07.02.2020

W.P. No.24181 of 2019



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