

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.24398, 24402 and 24405 of 2019
and W.M.P. Nos.24122 & 24131 of 2019

S.Gopal ... Petitioner in W.P. No.24398 of 2019

G.Jeyasudha ... Petitioner in W.P. No.24402 of 2019

S.S.S.Ranjith Priyan ... Petitioner in W.P. No.24405 of 2019

vs.

1.The Revenue Divisional Officer,
Sankagiri,
Salem District.

2.The District Collector,
Salem District, Salem. ... Respondents in all cases

Prayer in W.P. No.24398 of 2019: Petition filed under Article 226 of the Constitution of India to issue a writ of certiorarified mandamus by calling for the records of the first respondent in its Mu.Mu.No.1712/2012/D dated 30.01.2015 and quash the same and consequently direct the respondents to issue Community Certificate to the petitioner's children S.G.Kumaran and G.Dhanush to the effect that they belongs to Hindu Konda Reddis (ST) Community. सत्यमेव जयते

Prayer in W.P. No.24402 of 2019: Petition filed under Article 226 of the Constitution of India to issue a writ of certiorarified mandamus by calling for the records of the first respondent in its Mu.Mu.No.1711/2012/D dated 31.12.2014 and quash the same and consequently direct the respondents to issue Community Certificate to the petitioner's daughter G.Kowsalaya to the effect that she belongs to Hindu Konda Reddis (ST) Community.

Prayer in W.P. No.24405 of 2019: Petition filed under Article 226 of the Constitution of India to issue a writ of certiorarified mandamus by calling for the records of the first

respondent in its Mu.Mu.No.1713/2012/D dated 31.12.2014 and quash the same and consequently direct the respondents to issue Community Certificate to the petitioner to the effect that he belongs to Hindu Konda Reddis (ST) Community.

For petitioners : Mr.V.Vijayashankar

For respondents : Mrs.Narmadha Sampath,
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.)

The petitioners have come up with these present Writ Petitions for issuance of Certiorarified Mandamus, calling for the records of the first respondent in its Mu.Mu.No.1713/2012/D dated 31.12.2014 and to direct the respondents to issue them Community Certificate.

2.In the affidavits filed in support of the writ petitions, it is stated that the petitioners belong to Konda Reddi Community. They have made application on 06.07.2012 to the Revenue Divisional Officer, the first respondent herein for issuance of community certificate to their children S.G.Kumaran and G.Dhanush, daughter G.Kowsalya and to him respectively by producing relevant documents to show that they belong to Konda Reddi community. But the first respondent has rejected the application without considering the voluminous documentary evidences submitted by them. Challenging the same, the petitioners filed W.P. Nos.17926, 17927 & 17925 of 2013 and this Court by orders dated 07.01.2014 and 27.11.2013, directed the first respondent to reconsider the issue taking note of the abundant documentary evidences submitted by the petitioners, but the first respondent once again rejected the petitioners' application. Therefore, the petitioners made representation dated 20.03.2015 to the District Collector, the second respondent. Since the second respondent failed to issue the Community Certificate, the petitioners are before this Court seeking the above direction.

3.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 District Collector, Salem, the second respondent.

4.Though very many contentions have been raised by the learned counsel appearing for the petitioners, we are adverting

to the averments which are essential for disposal of the writ petitions. Since the petitioners are having the appeal remedy before the second respondent, we are not inclined to entertain the writ petitions.

5. In view of the submission made by the learned counsel on either side, this Court is constrained to direct the petitioners to file an Appeal before the second respondent within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the second respondent 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. Consequently, connected W.M.Ps are closed. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

vga

To

1. The Revenue Divisional Officer,
Sankagiri,
Salem District.

2. The District Collector,
Salem District, Salem.

+3cc to Mr.V.Vijay Shankar, Advocate, S.R.No. 102850 102851
102852

+1cc to the Government Pleader, S.R.No. 103152

W.P. Nos.24398, 24402 and 24405 of 2019
and W.M.P. Nos.24122 & 24131 of 2019

BP(CO)
GN(12/02/2020)