

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.10.2019

CORAM:

The Honourable Mr. Justice M.M.SUNDRESH
and
The Honourable Mr. Justice RMT.TEEKAA RAMAN

Writ Petition No.24904 of 2019

Minor V.Vetrivel
S/o.(Late) Vadivel
rep. By his Natural Guardian,
R.Manimegalai ... Petitioner

vs.

The Revenue Divisional Officer,
Harur,
Dharmapuri District. ... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the order of rejection passed in proceedings No.O.Mu.1719/2019/A3, dated 23.07.2019 on the file of the Respondent, quash the same and direct the Respondent to rectify the name of the Petitioner in the Community Certificate issued in proceedings in R.Dis.734/2016/A1, dated 22.09.2016 as V.Vetrivel, instead of V.Vettrivel (to remove one letter 't').

For Petitioner : Mr.S.Doraisamy

For Respondent : Mr.Akhil Akbar Ali,
Government Advocate

O R D E R

[Order of the court was made by M.M.SUNDRESH,J.]

Petitioner has come up with this Writ Petition, seeking to quash the order dated 23.07.2019 passed by the Respondent, vide proceedings No.O.Mu.1719/2019/A3, and for a direction to the Respondent to rectify his name in the Community Certificate, issued vide proceedings in R.Dis.734/2016/A1, dated 22.09.2016, as V.Vetrivel, instead of V.Vettrivel.

2. The Petitioner was issued with a Community Certificate dated 22.09.2016 by the Revenue Divisional Officer, Harur, Dharmapuri District, wherein, his name in English was mentioned as "Vettrivel". In the Community Certificate, it is mentioned that the Petitioner belongs to Kurumans-Scheduled Tribe Community. It is seen that the Community Certificate was issued pursuant to the order of this Court dated 29.04.2016 passed in W.P.No.16546 of 2016.

3. The Petitioner made a representation dated 03.07.2019 to the Respondent, seeking to correct the spelling mistake in his name written in English, from "Vettrivel" to 'Vetrivel', by removing one letter 't'.

4. By the impugned order, the Petitioner's representation was rejected by the Respondent on the ground that, the Community Certificate issued in the year 2016, cannot be corrected at a later point of time.

5. As rightly submitted by the learned counsel for the Petitioner, the impugned order cannot be sustained in the eye of law. Firstly, the Petitioner has not sought for change in the status of his Community and as such, there is no dispute about the fact that the Petitioner belongs to Scheduled Tribe Community. Secondly, the name of the Petitioner in the Community Certificate has rightly been recorded in Tamil. What the Petitioner seeks is to correct the spelling in his name recorded in English, from 'Vettrivel' to 'Vetrivel'.

6. In such view of the matter, we are inclined to set aside the impugned order dated 23.07.2019 passed by the Respondent, and accordingly, it is set aside. Consequently, we direct the Respondent herein to issue fresh Community Certificate to the Petitioner, indicating his name as 'Vetrivel', within a period of four weeks from the date of receipt of a copy of this order.

This Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

(aeb)

To:

The Revenue Divisional Officer,
Harur, Dharmapuri District.

+1 cc to M/s.S.Doraisamy, Advocate, S.R.No.84387

+1 cc to the Government Pleader, S.R.No.85093

W.P.No.24904 of 2019

MR (CO)
SSM(04/10/2019) .



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