



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.04.2019

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THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MRS.JUSTICE R.THARANI

W.P. (MD) .No.7740 of 2019

P.Saktheeswari

.. Petitioner

/Vs./

1.The District Collector,
Nagercoil,
Kanniyakumari District.

2.The Revenue Divisional Officer,
Nagercoil,
Kanniyakumari District.

.. Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India for issuance of writ of Mandamus directing the 2nd respondent to conduct an enquiry and issue Hindu Kattunaicken Community Certificate to the daughters of the petitioner by considering the petitioner's application, dated 19.03.2018 within the time frame fixed by this Court.

For Petitioner : Mr.J.Senthil Kumaraiah

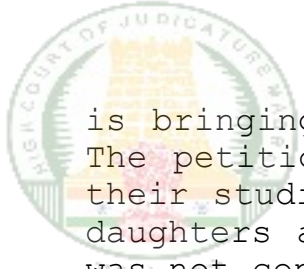
For Respondents : Mr.Aayiram K.Selvakumar
Additional Government Pleader

O R D E R

(Order of this court was made by **K.KALYANASUNDARAM, J.**)

The petitioner has come forward with this writ petition for issuance of writ of mandamus directing the second respondent to conduct an enquiry and issue Hindu Kattunaicken Community Certificate to the daughters of the petitioner by considering her application, dated 19.03.2018, in a time frame.

2.The case of the petitioner is that she belongs to Hindu Kattunaicken community, which is one of the communities listed as a Scheduled Tribe under the Constitution (Scheduled Tribes) order 1950. She is having two daughters namely S.Deepika and S.Abisha. The petitioner's husband deserted her about five years ago. Now, she



is bringing up her daughters and also providing education to them. The petitioner would state that both of her daughters are pursuing their studies and hence she needs the community certificate for her daughters and her application for issuance of community certificate was not considered till date. Hence, the present writ petition.

3.Mr.J.Senthil Kumaraiah, learned counsel for the petitioner would state that it would suffice to issue a direction to consider the application of the petitioner, dated 19.03.2018.

4.However, Mr.Aayiram K.Selvakumar, learned Additional Government Pleader would state that as per the rules, the second respondent considers only the applications submitted through online and if the petitioner submits her application in proper way and the same would be considered by the second respondent.

5.Considering the prayer sought for by the writ petitioner and the submissions of the learned counsel on either side, without going into the merits of the case, this Court directs the petitioner to submit her application through online within a period of two weeks from the date of receipt of a copy of this order. On such compliance, the second respondent shall consider the same and pass appropriate orders on merits and in accordance with law, after providing opportunities to all the necessary parties within a period of three months therefrom.

6.With the above directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The District Collector,
Nagercoil,Kanniyakumari District.

2.The Revenue Divisional Officer,
Nagercoil, Kanniyakumari District.

+1 CC to M/s.J.SENTHIL KUMARAI AH, Advocate in SR-58389
+1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No.58556

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