



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

AND

THE HONOURABLE MRS. JUSTICE R.THARANI

Writ Petition(MD)No.8566 of 2019

Kavitha

.. Petitioner

Vs.

The Revenue Divisional Officer,
District Collector Campus
Madurai District.

..Respondent

Prayer: Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the respondent to issue community certificate to petitioner's child M.Keerthika Devi evidencing the fact that she belong to Malaivedan community on the basis of the petitioner application dated 13/03/2019.

For Petitioner : Mr.R.G.Shankar Ganesh
For Respondents : Mr.Ayiram K.Selvakumar
Additional Govt.Pleader

ORDER

[Order of the Court was made by **K.KALYANASUNDARAM, J**]

Heard Mr.R.G.Shankar Ganesh, learned counsel appearing for the petitioner, Mr.Ayiram K.Selvakumar, learned Additional Government Pleader appearing for the respondent.

2.This writ petition has been filed, seeking direction to the respondent to issue community certificate to her daughter M.Keerthika Devi, on the basis of her application dated 13.03.2019.

3.The petitioner would claim that she belongs to Malaivedan community, which is indicated in the list of Scheduled Tribes. The petitioner would further state that her cousin one Chandrasekar has been issued with community certificate on 30.05.2011. But her application for issuance of community certificate for her daughter was not considered. Hence, the writ petition has been filed.

4.Learned counsel for the petitioner would state that it is



suffice, if a direction is issued to the respondent to consider the application dated 13.03.2019.

5.Per contra, learned Additional Government Pleader, on instructions, would state that the respondent has not received any application so far.

6.In the light of the above submission and also taking note of the prayer sought for in the writ petition, this Court, without going into the merits of the case, directs the petitioner to give a fresh application to the respondent, enclosing a copy of the order, within a period of two weeks from the date of receipt of a copy of this order. On such compliance, the respondent shall consider the same and pass appropriate orders purely on merits and in accordance with law, after affording an opportunity to all the necessary parties, within a period of 12 weeks therefrom.

7.With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

The Revenue Divisional Officer,
District Collector Campus
Madurai District.

+1cc to Mr. R.G.SHANKAR GANESH, Advocate, SR.No.60139

+1cc to M/s.Special Government Pleader, SR.No. 60397

Writ Petition (MD)No.8566 of 2019

VS

KK/SAR/23.04.2019/ 2P- 4C