



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.01.2019

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

AND

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P. (MD) No.25444 of 2018

G.Subathra

... Petitioner

Vs.

1. The District Collector,
Collectorate, Thanjavur District.

2. The Revenue Divisional Officer,
Collectorate, Thanjavur District.

3. The Tahsildar,
Papanasam Taluk, Thanjavur District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to consider the petitioner's application dated 05.03.2012, conduct due enquiry and issue Community Certificate to the petitioner and her children 1.G.Kuraloviya, now aged about 18 years, 2. G.Ilakkiyanathi, now aged about 16 years, 3. G.Kannukiniyal, now aged about 14 years and 4. G.Desiyageethan, now aged about 8 years, within the time frame that may be fixed by this Court.

For Petitioner : Mr.M.Seeni Sulthan

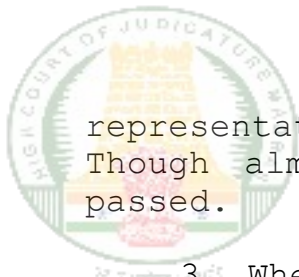
For Respondents : Mr.V.R.Shanmuganathan
Special Government Pleader

O R D E R

[Order of the Court was made by **R.SUBBIAH, J.**]

The writ petition has been filed for issuance of a Writ of Mandamus directing the respondents to consider the petitioner's application, dated 05.03.2012, conduct enquiry and issue Malakkuravan Community Certificate (SC).

2. The case of the petitioner is that the petitioner belongs to Malakkuravan Community which is listed as Scheduled Tribe in Entry No.23 in Annexure - I of the List of Communities of the State of Tamil Nadu. The petitioner applied for issuance of community certificate to her and her children 1. Guraloviya, now aged about 18 years, 2. G.Ilakkiyanathi, now aged about 16 years, 3. G.Kannukiniyal, now aged about 14 years and 4. G.Desiyageethan, now aged about 8 years. The said certificate was required for her children's educational purpose. The petitioner has also given a



representation to the third respondent in-person on 05.03.2012. Though almost six years have lapsed, so far no order has been passed.

3. When the matter is taken up for consideration, the learned Special Government Pleader appearing for the respondents would submit that the third respondent / the Tahsildar, Papanasam Taluk, Thanjavur District has conducted an enquiry and submitted a report to the second respondent. The second respondent has to pass an order on the application submitted by the petitioner, dated 05.03.2012.

4. Considering the submissions made by the learned Special Government Pleader, this Court directs the second respondent to pass an order on the application submitted by the petitioner, dated 05.03.2012, based on the report submitted by the Tahsildar, preferably within a period of four weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion on the merits of the claim made by the petitioner and it is for the second respondent to pass orders on the petitioner's application, dated 05.03.2012.

5. With the above direction, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

/ True Copy /

Sub Assistant Registrar

To

1. The District Collector,
Collectorate, Thanjavur District.

2. The Revenue Divisional Officer,
Collectorate, Thanjavur District.

3. The Tahsildar,
Papanasam Taluk, Thanjavur District.

+1 CC to M/s.SPL GP (SR-41205[F] dated 10/01/2019)

+1 CC to M/s.M.SEENI SULTHAN, Advocate
(SR-41087[F] dated 09/01/2019)

W.P. (MD) No.25444 of 2018

09.01.2019

AKV

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