

THE HON'BLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION No.23074 of 2019

ORDER:

The petitioner questioned the Endorsements, dated 23.03.2017 and 08.07.2019, issued by the second respondent, rejecting his request for issuance of Community and Date of Birth certificate.

Heard learned counsel for the petitioner and learned Government Pleader for Social Welfare.

The impugned Endorsements issued by the second respondent, rejecting the petitioner's request for issuance of Community certificate, are bereft of reasons.

On an earlier occasion, when similar such orders were passed by the second respondent rejecting the request of the petitioner for issuance of Community, Nativity and Date of Birth certificates without assigning any reasons, this Court had set aside the same and directed him to pass reasoned orders. Acting on such directions, the second respondent, after making an enquiry, passed reasoned orders rejecting the petitioner's request. However, the petitioner chose to file another application in the current year for issuance of Community certificate once again. In response to the said application, the second respondent, instead of bringing it to the notice of the petitioner that the very same request was considered and rejected by his office on an earlier occasion, has simply issued the impugned Endorsements without assigning any reason or recording any finding for such rejection. The second respondent is duty bound to record reasons while passing the orders.

In view of the above, the impugned Endorsements dated 23.03.2017 and 08.07.2019 are set aside and the second respondent is

hereby directed to consider the application made by the petitioner, afresh, and pass a reasoned order, within a period of two months from the date of receipt of a copy of this order.

The writ petition is allowed to the extent indicated above. Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE T.VINOD KUMAR

Date:30.10.2019

GJ

