

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2020

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
AND

THE HONOURABLE MRS.JUSTICE R.HEMALATHA
W.P.No.5488 of 2020
and

W.M.P.Nos.6419 to 6422 of 2020

1.Minor K.P.Roshan,
S/o.K.Parthiban,
Hindu, aged about 17 years,
Residing at No.2, Flat AP Priyam,
Lakshmanan Nagar, East Main Road,
Peravallur, Jawahar Nagar,
Chennai - 600 082.

2.Minor K.P.Pranav,
S/o.K.Parthiban,
Hindu, aged about 14 years,
Residing at No.2, Flat AP Priyam,
Lakshmanan Nagar, East Main Road,
Peravallur, Jawahar Nagar,
Chennai - 600 082.

(Both represented by their father and natural
guardian Mr.K.Parthiban)

... Petitioners

Vs

1. The Government of Tamil Nadu,
Represented by its Secretary,
Department of Adi Dravidar Welfare,
Fort St. George,
Chennai - 600 009.

2. The Collector,
Chennai District,
Rajaji Salai,
Chennai - 600 001.

3.Tahsildar,
Ayanavaram Taluk,
Palliyarasan Salai,
Chennai - 600 010.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the entire records pertaining to the issuance of order of rejection dated 30.09.2019 published by the third respondent in the official website and quash the same and consequently direct the third respondent to issue community certificate for the petitioners in accordance with law.

For Petitioner : Mr. C. Umashankar

For Respondents: Mr. P.S. Sivashanmuga Sundaram,
Special Government Pleader.

O R D E R

(Order of the court was made by N.KIRUBAKARAN.J.,)

The Petitioners are challenging the return of their applications made by the third respondent / Tahsildar for issuance of Schedule Caste community certificate.

2. According to the petitioners they belong to Schedule Caste and they profess Hinduism and they are in need of a community certificate. Further, it is stated that the petitioners' mother is a Christian Adi-Dravida and father is a Hindu-Adi Dravida and therefore, they are entitled for Schedule Caste community certificate.

3. Heard Mr.C.Umashankar, learned Counsel for the petitioner and Mr.P.S.Sivashanmuga Sundaram, learned Special Government Pleader for the respondents.

4. The third respondent / Tahsildar is present before this Court. The Tahsildar would submit that she has not rejected the applications and she has only called for certain details and so, the applications have been returned. It has been submitted that the petitioners appeared before the Tahsildar and gave relevant details and also answered to the relevant queries made by the Tahsildar. However, the Tahsildar called for further details and hence, returned the applications.

5. In view of the above, there shall be a direction to the petitioners to approach the third respondent / Tahsildar at 11 a.m. on 19.03.2020 with all relevant documents. Even if documents are not available on 19.03.2020, the petitioners shall produce the same in the subsequent dates fixed by the Tahsildar. The Tahsildar shall consider the documents produced by the petitioners and on satisfaction that the petitioners are

entitled for Schedule Caste community certificate, the Tahsildar shall pass appropriate orders on or before 31.03.2020.

6. With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Secretary,
Government of Tamil Nadu,
Department of Adi Dravidar Welfare,
Fort St. George,
Chennai - 600 009.
2. The Collector,
Chennai District,
Rajaji Salai,
Chennai - 600 001.
3. Tahsildar,
Ayanavaram Taluk,
Palliyarasan Salai,
Chennai - 600 010.

+1cc to the Government Pleader Sr.20244
+1cc to Mr.C.Uma Shankar, Advocate Sr.19631

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srg 03/06/2020