

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.08.2020

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
and
THE HON'BLE MRS.JUSTICE R.HEMALATHA

W.P. Nos. 9615, 9618, 9656, 9657, 9659,
9702, 9756, 9757, 9758 and 9760 of 2020

1 R.VELMURUGAN ... PETITIONER in WP No.9615 of 2020
1 M.SELVAM ... PETITIONER in WP No.9618 of 2020
1 S.SUSEELA ... PETITIONER in WP No.9656 of 2020
1 J.ADHISHESAN ... PETITIONER in WP No.9657 of 2020
1 R.SAKTHIVEL ... PETITIONER in WP No.9659 of 2020
1 K.KARTHIKEYAN ... PETITIONER in WP No.9702 of 2020
1 C.RAVI ... PETITIONER in WP No.9756 of 2020
1 K.RAMACHANDIRAN ... PETITIONER in WP No.9757 of 2020
1 K.GANDHI ... PETITIONER in WP No.9758 of 2020
1 N.AYYAPPAN ... PETITIONER in WP No.9760 of 2020

Vs

The Sub Collector,
Kallakuruchi,
Kallakuruchi District.

.. Respondent in all W.Ps

Prayer in W.P.No.9615 of 2020 : Petition filed under Article 226 of The Constitution of India praying for the issuance of a writ of mandamus directing the respondent to conduct the enquiry along with the Head of the Anthropology Dept., School of Social Sciences, University of Madras, Chepauk, Chennai - 600 005 / Anthropologist, who has intimate knowledge in identifying the tribes in respect of the Scheduled Tribe communities of Tamil Nadu as held by the Hon'ble Apex Court in 1994 SCC (6) 241 and (2012) 1 Supreme Court Cases 113 and also in the light of the enquiry conducted by the RDOs with the Anthropologist in respect

of Villupuram, Tindivanam and Chengalpet Districts and issue the Community Certificates to the petitioner and his son namely V.Sankar based on the petitioner's Application dated 08.05.2019 within a stipulated time.

Prayer in W.P.Nos.9618, 9656, 9657, 9659, 9702, 9756, 9757, 9758 and 9760/2020:

Writ Petitions filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondent to conduct the enquiry along with the Head of the Anthropology Dept., School of Social Sciences, University of Madras, Chepauk, Chennai - 600 005 / Anthropologist, who has intimate knowledge in identifying the tribes in respect of the Scheduled Tribe communities of Tamil Nadu as held by the Hon'ble Apex Court in 1994 SCC (6) 241 and (2012) 1 Supreme Court Cases 113 and also in the light of the enquiry conducted by the RDOs with the Anthropologist in respect of Villupuram, Tindivanam and Chengalpet Districts and issue the Community Certificates to the

(i) petitioner and his daughter namely S. Naavammal, based on the Petitioner's Application dated 08.05.2019 (W.P. 9618/2020)

(ii) Petitioner and his children, namely S. Lavanya and S. Saranraj based on the Petitioner's Application dated 08.05.2019 (W.P. 9656/2020)

iii) Petitioner and his Children namely A. Achutha and A. Akash based on the Petitioner's Application dated 06.05.2019 (W.P. 9657/2020)

iv) Petitioner and his children namely S. Bakkiyalakshmi S. Punitha and S. Mohanraj based on the Petitioner's Application dated 08.05.2019 (W.P. 9659/2020)

v) Petitioner and his children namely K. Nishanthi and K. Sabarivasan based on the Petitioner's Application dated 18.04.2019 (W.P. 9702/2020)

vi) Petitioner and his children namely R. Naveen, R. Revathi and R. Ramana based on the Petitioner's Application dated 24.04.2019 (W.P. 9756/2020)

vii) Petitioner and his son namely R. Gouthamarajan based on the Petitioner's Application dated 26.04.2019 (W.P. 9757/2020)

viii) Petitioner and his children namely G. Santhosh, G. Dinesh and G. Prema based on the Petitioner's Application dated 26.04.2019 (W.P. 9758/2020)

and ix) Petitioner and his daughter namely A. Kaviya based on the Petitioner's Application dated 24.04.2019 (W.P. 9760/2020) respectively within a stipulated time.

For Petitioner .. Mr.N.Naganathan
in all the W.Ps

For Respondent .. Mr.R.Udayakumar,
Addl. Govt. Pleader
in all the W.Ps

COMMON ORDER
(Order of the Court was made by M.M.SUNDRESH, J.)

As all the writ petitions are pertaining to the same issue, seeking community certificate from the respondent, they are disposed of by way of a common order.

2.The petitioners made applications on various dates viz., 08.05.2019, 06.05.2019, 18.04.2019, 24.04.2019 and 26.04.2019 seeking issuance of community certificate. As the same are still kept pending, the present writ petitions have been filed for a direction to the respondent to conduct an enquiry along with the Head of Anthropology Department.

3.We are not inclined to pass a positive order as sought by the petitioners. The respondent is duty bound to keep in mind the mandate of the Apex Court. Suffice it to state that the respondent is directed to take appropriate steps on the applications of the petitioners by conducting due enquiry while satisfying on the community to which the petitioners belong and thereafter take appropriate decision in accordance with law. Appropriate decision will have to be taken within a period of eight weeks from the date of receipt of a copy of this order.

4.With the above direction, these writ petitions stand disposed of. No costs.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

mami/ssm
To

The Sub Collector,
Kallakuruchi,
Kallakuruchi District.
+10 Ccs to Mr.N.Naganathan, Advocate sr 26945 & 26946.

W.P. Nos. 9615, 9618, 9656, 9657, 9659,
9702, 9756, 9757, 9758 and 9760 of 2020

GJII (CO)
SP(01/09/2020)