

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.12.2020

CORAM :

THE HONOURABLE MR. JUSTICE M. SATHYANARAYANAN
AND
THE HONOURABLE MRS. JUSTICE R. HEMALATHA

W.P.No.17970 of 2020

1. K.Shanmugasundaram

2. K.Mullaiventhan

3. S.Nirmal Adithya
Represented by his father and Natural Guardian
K.Shanmugasundaram

4. S.Sudeeksha
Represented by her father and Natural Guardian
K.Shanmugasundaram

5. M.Kabilan
Represented by his father and Natural Guardian
K.Mullaiventhan

6. M.Nanda Varshini
Represented by her father and Natural Guardian
K.Mullaiventhan

...Petitioners

The Revenue Divisional Officer,
Mettur,
Salem District.

सत्यमेव जयते

...Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondent to issue community certificate to the petitioners 2 to 6 that they belong to "Kurumans (ST) Community" based upon the proceedings of the State Level Scrutiny Committee passed in favour of the 1st petitioner in proceedings No. 19086/CV-5/ 2012-4 dated 21.10.2019 and the sister of the 1st and 2nd petitioner in proceedings No. 5537/ CV- 5/ 2015-3 dated 22.08.2019 and the community certificate already obtained by the 1st petitioner and his family members.

For Petitioners : Mr.S.Doraisamy

For Respondent : Mr.M.Elumalai
Additional Government Pleader

O R D E R

(Order of the Court was made by M. SATHYANARAYANAN, J.)
(Through Video Conferencing)

The petitioners 1 and 2 are brothers and the petitioners 3 and 4 are the son and daughter of the 1st petitioner and the petitioners 5 and 6 are the son and daughter of the 2nd petitioner, respectively.

2.Mr.S.Doraisamy, learned counsel appearing for the petitioners would submit that, as per the proceedings of the Tamil Nadu State Level Scrutiny Committee-III, dated 22.08.2019 and 21.10.2019, the community certificate issued in favour of the sister of the petitioner, namely, K.Anjali, as well as the petitioner, respectively, came to be verified, and findings have been given that the said certificates are genuine, and that apart, the petitioners, armed with the said certificate, submitted an application, dated 18.11.2019, for issuance of Hindu, Scheduled Tribe, Kurumans Community Certificate in favour of the petitioners 3 to 6, and despite a lapse of nearly one year and odd, nothing is moving forward, and hence, they are constrained to approach this Court by filing this writ petition.

3.The learned counsel appearing for the petitioner, would submit that, in the light of the proceedings of the Tamil Nadu State Level Scrutiny Committee-III, dated 22.08.2019 and 21.10.2019, respectively, there may not be any impediment on the part of the respondent to issue Hindu, Scheduled Tribe, Kurumans Community Certificate in favour of the petitioners 3 to 6.

4.Mr.M.Elumalai, learned Additional Government Pleader, accepts notice on behalf of the respondent, and would submit that the application submitted by the petitioners would be considered and given disposal at an early date.

5.This Court, in the facts and circumstances, without going into the merits of the claim projected by the petitioners in this writ petition, directs the respondent to take into consideration the proceedings of the Tamil Nadu State Level Scrutiny Committee-III, dated 22.08.2019 and 21.10.2019, and dispose of the application, dated 18.11.2019, submitted by the petitioners, in accordance with law, as expeditiously as possible not later than eight weeks, from the date of receipt of

a copy of this order, and communicate the decision taken to the petitioners.

This writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

The Revenue Divisional Officer,
Mettur,
Salem District.

+1cc to M/s.S.Doraisamy, Advocate in SR.NO..40157

W.P.No.17970 of 2020

VSN-II (CO)
RV (05/01/2021)



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