

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 17.12.2020

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MR. JUSTICE R.PONGIAPPAN

WP.No.19198/2020
and W.M.P.No.23785/2020

S.Geetha(minor aged 16 years)
rep.by her mother
S.Lakshmi

.. Petitioner

Versus

1.State of Tamil Nadu
rep.by Secretary,
Adi Dravidar and Tribal Welfare Department,
PWD Estate, Chepauk, Triplicane,
Chennai 600 005.

2.The District Collector,
Master Plan Complex Collectorate,
Villupuram 605 103.

3.Revenue Divisional Officer,
NH-45A, Villuppuram Puducherry Road,
Villupuram.

4.The Registrar,
Thiruvalluvar University,
Serkadu, Vellore, Tamil Nadu 632 115.

5.Aringnar Anna Government Arts College,
Avenue Road, Keezperum Pakkam,
Villupuram T.K. & DT, Villupuram 605 602.

.. Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus directing the 3rd respondent herein to act upon the representation dated 07.09.2020 and issue a community certificate to the petitioner's daughter S.Geetha identifying her as belonging to the Malaikuravan Community which is recognised as a "Scheduled Tribe" as per the Scheduled Caste and Scheduled Tribes orders (Amendment) Act, 1976 (Serial No.23).

For Petitioner : Mr.G.Gokul

For RR 1 to 3 & 5 : Mr.Kamaleshkannan
Government Advocate

ORDER

[Order of the Court was made by M.SATHYANARAYANAN, J. through video conferencing]

The petitioner would state that she belongs to Hindu Scheduled Tribe Malaikuravan Community and her close relative have already been issued with such a certificate, which are enclosed in page nos.22 and 23 of the typed set of documents.

2. The learned counsel appearing for the petitioner would submit that the mother of the petitioner has submitted a representation dated

07.09.2020, followed by an application praying for issuance of the said Community Certificate in favour of her minor daughter and despite receipt of the said application, no response is forthcoming and hence she came forward to file this Writ Petition.

3. This Court heard the submission of Mr.Kamalesh Kannan, who appeared for respondents 1 to 3 and he would submit that in the absence of any acknowledgment, it is difficult to find out as to the factum relating to the receipt of the application / representation.

4. This Court has carefully considered the rival submissions and also perused the materials placed before it.

5. This Court, taking into consideration the above facts and circumstances and without going into the merits of the claim, projected by the petitioner, either in her application or in this Writ Petition, permits the mother of the petitioner to submit one more representation, by enclosing all relevant, necessary and authenticated documents, by means of registered post with acknowledgment due, to the 3rd respondent within a period of two weeks from the date of receipt of a copy of this order /

uploading of the order in the website and the 3rd respondent, upon receipt of the same, is directed to consider the said representation, on merits and in accordance with law and also in an objective manner and give a disposal to the said application, within a further period of three weeks thereafter and communicate the decision taken, to the mother of the minor petitioner, namely, Lakshmi, wife of late Sekar.

6. The Writ Petition stands disposed of accordingly. No costs. Consequently connected miscellaneous petition is closed.

[M.S.N.,J] [R.P.A.,J.]
17.12.2020

sk

Internet: Yes /No

Index: Yes/ No

To

1.The Secretary,
Adi Dravidar and Tribal Welfare Department,
PWD Estate, Chepauk, Triplicane,
Chennai 600 005.

2.The District Collector,
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Villupuram 605 103.

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