

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 21.12.2020

CORAM

THE HONOURABLE MR. JUSTICE M. SATHYANARAYANAN

AND

THE HONOURABLE MRS. JUSTICE R. HEMALATHA

WP.No.19754 of 2020

M.Ulagappan

.. Petitioner

Versus

1.The Chairman

State Level Scrutiny Committee
Adi Dravidar and Tribal Welfare Department,
Secretariat, Chennai 600 009.

2.The Director of Tribal Welfare

Chepauk, Chennai 600 005.

3.The Deputy Superintendent of Police,

SC/ST Vigilance Cell,
Social Justice & Human Rights Wing
Dharmapuri.

4.The Revenue Divisional Officer,
Dharmapuri.

.. Respondents

Prayer:- Writ petition has been filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus directing respondent No.4 to issue a community certificate to the petitioners daughter U.Tamizhpavai to the effect that she belongs to "Kurumans" Scheduled Tribe.

For Petitioner : Mr.M.Radhakrishnan

For Respondents : Mr.M.Elumalai
Additional Government Pleader

ORDER

[Order of the Court was made by M.SATHYANARAYANAN,J., through
Video Conferencing]

The petitioner would submit that he belongs to Hindu Kuruman Community and he submitted an application dated 18.12.2014, for issuance of the said Community Certificate, in favour of her daughter, namely, V.Tamil Paavai, which came to be rejected, vide order of the 4th respondent dated 07.12.2015. The petitioner made a challenge by filing W.P.No.15517/2016 and this Court vide order dated 18.07.2016, had passed direction, directing the 1st respondent to verify the application and forwarded a report to the 4th respondent, so as to enable him to consider the

plea for issuance of the said Community Certificate in favour of her daughter. Accordingly, the 3rd respondent has sent a communication dated 07.08.2017, for personal appearance and hearing.

2. Mr.M.Radhakrishnan, learned counsel appearing for the petitioner would submit that thereafter nothing had happened and in the light of the fact that his daughter has completed her Graduation and for employment purpose, the Community Certificate is the absolute requirement, prays for appropriate orders.

3. This Court heard the submission of M.Elumalai, learned Additional Government Pleader appearing for the respondents 1 to 4. It is also brought to the knowledge of this Court that the 3rd respondent has already forwarded the report to the 2nd respondent.

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, in this Writ Petition, directs the 2nd respondent to forward the Vigilance Report to the 4th respondent, within a period of four weeks from the date of receipt of a copy of this order / uploading of the order in the website and upon receipt of the same, the 4th respondent is directed to take appropriate proceedings further, in accordance with law and complete the said exercise, as expeditiously as possible and not later than four weeks from the date of receipt of Vigilance Report from the 2nd respondent and communicate the decision taken to the petitioner.

6. The Writ Petition stands disposed of, accordingly. No costs.

[M.S.N.,J]

[R.H., J]

21.12.2020

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Internet : Yes/No
Index : Yes/No

To

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2.The Director of Tribal Welfare
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M.SATHYANARAYANAN, J.,
AND
R.HEMALATHA.,J
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