

IN THE HIGH COURT OF JUDICIATURE AT MADRAS

DATED : 22.01.2020

CORAM :

THE HONOURABLE MR.JUSTICE R.SUBBIAH
and
THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

W.P.No.34416 of 2019

P.Baskaran

...Petitioner

versus

The Revenue Divisional Officer,
Thiruvannamalai.

...Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondent to issue community certificate to the petitioner and his children, P.Priyanka, P.Kawiya and P.Saitharun to the effect that they belong to the Malaikuravan / Malakuruvan community (Schedule Tribe) on the basis of enquiry report of Tahsildar, Thandaramapattu Taluk dated 24.07.2015 and community certificate D.Dis:915/97 dated 27.02.1997 issued in favour of petitioner's own sister S.Kasthuri which was confirmed by State Level Scrutiny Committee by its proceedings No.31917/CV-II/2004-23 dated 12.12.2014 based on the petitioner application within a stipulated time.

For Petitioner : Mr.N.Naganathan

For Respondent : Mr.V.Shanmuga Sundar

Special Government Pleader

O R D E R

[Order of this Court was made by R.SUBBIAH, J.]

The petitioner has come up with the present Writ Petition for a Mandamus, directing the respondent to issue Community Certificate to him and his children, namely, P.Priyanka, P.Kawiya and P.Saitharun to the effect that they belong to Malaikuravan / Malakuruvan Community (Schedule Tribe).

2. The case of the petitioner is that he belongs to Malaikuravan Community, which is notified as a Scheduled Tribe (ST) Community. He has submitted an application for issuance of ST Community Certificate to him and his children, namely, P.Priyanka, P.Kawiya and P.Saitharun. The petitioner has also

produced his sister's Community Certificate, which was confirmed by State Level Scrutiny Committee by its proceedings No.31917/CV-II/2004-23 dated 12.12.2014. But till date, no action was taken by the respondent and hence, the petitioner is before this Court with the present Writ Petition.

3. Heard the learned counsel appearing for the petitioner as well as the learned Special Government Pleader appearing for the respondent and perused the materials available on record.

4. Though, so many contentions have been raised by the learned counsel appearing for the petitioner, the learned Special Government Pleader appearing for the respondent submitted that the respondent has not received any application from the petitioner so far. He further submitted that if the petitioner submits the application along with his father's Community Certificate and documents supporting the claim of Scheduled Tribe to the respondent, the same would be disposed of, after conducting due enquiry.

5. In view of the above submission made by the learned Special Government Pleader appearing for the respondent, the petitioner is directed to submit the application along with necessary documents to the respondent, within a period of two weeks from the date of receipt of a copy of this order. On receipt of such application, the respondent is directed to consider the same and pass appropriate orders, on merits and in accordance with law, within a period of six weeks thereafter.

6. The Writ Petition is disposed of accordingly. No costs.

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

sri
To

The Revenue Divisional Officer,
Thiruvannamalai.

+1 CC to Mr.N.Naganathan, Advocate sr 4800.
+1 CC to The Govt. Pleader sr 4751.

W.P.No.34416 of 2019

RSV (CO)
SP (25/02/2020)