



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.03.2020

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR
and
THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD)No.4663 of 2020

Palanisamy

: Petitioner

Vs .

1. The Chairman,
State Level Security Committee,
Secretary to Government,
Adi Dravidar and Tribal Welfare Department,
Chennai -9.
2. The District Collector,
Virudhunagar District, Virudhunagar.
3. The Revenue Divisional Officer,
Sattur Division, Virudhunagar District.

: Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents to issue a Hindu Kattunayakkan Community Certificate (Schedule Tribe) to the petitioner's children, namely, Ayyappan studying in 7th standard, Seenivasan studying in 5th standard and Kaviya Dharshini studying in 4th standard at Panchayat Union School and Panchayat Union Primary School, Sattur Virudhunagar District, by considering the petitioner's representation, dated 27.01.2020 within the time frame that may be stipulated by this Court.

For Petitioner
For R1 to R3

:Mr.S.Gobi
:Mr.VR.Shanmuganathan
Special Government Pleader

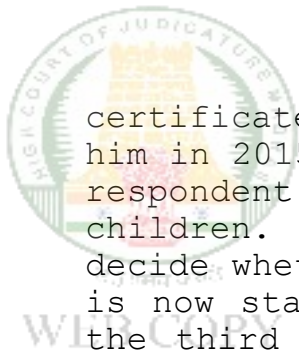
ORDER

(Order of the Court was delivered by S.S.SUNDAR,J.)

This Writ Petition is filed for a direction to the respondents to issue community certificate to the petitioner's children.

2.By consent of both parties, the Writ Petition is taken up for final disposal at the stage of admission itself.

3.The petitioner produced before this Court, the community



certificate issued in favour of petitioner, which was obtained by him in 2015. The petitioner has made a representation to the second respondent on 27.01.2020 for issuing community certificate to his children. The District Collector is not a competent authority to decide whether the petitioner belongs to a particular community. It is now stated that the petitioner earlier made a representation to the third respondent / Revenue Divisional Officer and that he has forwarded the said representation to the Tahsildar.

4.Considering the fact that the authority competent to issue community certificate is the third respondent, this Court is inclined to dispose of this Writ Petition with the following directions:

4.1.The petitioner is directed to submit a fresh representation to the third respondent within a period of two weeks from the date of receipt of a copy of this order. On such representation being made by the petitioner, the third respondent shall consider and pass appropriate orders on merits in accordance with law after giving sufficient opportunity to the petitioner within a period of twelve weeks from the date of receipt of a copy of this order.

5.With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (Crl.side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

1. The Chairman,
State Level Security Committee,
Secretary to Government,
Adi Dravidar and Tribal Welfare Department,
Chennai -9.
2. The District Collector,
Virudhunagar District, Virudhunagar.
3. The Revenue Divisional Officer,
Sattur Division, Virudhunagar District.

+1 CC to M/s.S.GOB.I, Advocate (SR-10146[F] dated 05/03/2020)
+1 CC to M/s.SPL.GP (SR-10347[F] dated 06/03/2020)

CMR

TE : 17/03/2020 : 2P/6C

W.P (MD)No.4663 of 2020
05.03.2020