



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.08.2020

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**THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN
AND
THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM**

W.P. (MD)No.9983 of 2020

R.Ellappan

... Petitioner

Vs.

1.The State Government

Rep by

The Additional Chief Secretary to the
Government,

Adi Dravidar and Tribal Welfare Board,
Fort St.George, Chennai.

2.The Director,

Adi Dravidar and Tribal Welfare Board,
Chepauk, Chennai.

3.The District Collector,

Madurai District, Madurai.

4.The District Welfare Officer,

Adi Dravidar and Tribal Welfare Board,
Madurai District.

5.The Revenue Divisional Officer,

Melur, Madurai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the third respondent to dispose of the appeal petition dated 26.12.2019 requesting for community certificate as HINDU SHOLAGA at the earliest.

For Petitioner

: Mr.Chamundi Bose

For Respondents

: Mr.K.P.Krishnadoss,
Special Government Pleader

O R D E R

[Order of the Court was made by **M. SATHYANARAYANAN, J.**]

The petitioner claims that he belongs to Hindu Sholaga Community and his ancestors originally belonged to the State of Karnataka and migrated to Andhra Pradesh and subsequently to this State and they are eking out their livelihood by doing the act of "WHIP FEET" (saatai adi). The petitioner would further state that the people, who belonged to this Community, would speak both in Telugu and Tamil and since most of them have realised the importance of education, from the year 1996, they are sending their children to the school, but the prime difficulty they are facing is with regard to the availing of concession, as they do not possess Hindu Sholaga Community Certificate.

2.The learned counsel for the petitioner would submit that in this regard, the representation of the petitioner has been considered by the Revenue Divisional Officer, Melur and vide proceedings dated 18.12.2019 in Na.Ka.No.670/2019/Aa2, the said official has taken note of the materials, which include the report of the Anthropology dated 04.04.2019 and concluded that the petitioner does not belong to the said Community and therefore, rejected the request for issuing the Community Certificate. In the said order of the Revenue Divisional Officer, Melur, dated 18.12.2019, the availability of the appeal remedy has also been indicated and accordingly, the petitioner preferred an appeal in the form of representation dated 26.12.2019 followed by two reminders dated 20.03.2020 and 28.07.2020 and despite receipt and acknowledgment, the appellate authority viz., the third respondent has not passed any orders and in the light of the fact that the school going children of the petitioner immediately require the Community Certificate, he is constrained to approach this Court by filing this writ petition.

3.Heard the arguments of the learned counsel appearing for the petitioner and Mr.K.P.Krishnadoss, learned Special Government Pleader, who accepts notice on behalf of the respondents.

4.This Court, taking into consideration of the above facts and circumstances of the case and also the limited prayer sought for by the petitioner in this writ petition and without going into the merits of the claim projected by the petitioner, directs the third respondent to accord priority and dispose of the appeal petition of the petitioner, dated 26.12.2019 as well as the reminder representations dated 20.03.2020 and 28.07.2020, on merits and pass appropriate orders, within 10 weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.



5. Accordingly, the Writ Petition stands disposed of. However, in the circumstances of the case, there shall be no orders as to the costs.

Sd/-

Assistant Registrar (AS)

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Sub Assistant Registrar(CS)

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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned

To

1. The Additional Chief Secretary to the Government,
Adi Dravidar and Tribal Welfare Board,
Fort St. George, Chennai.

2. The Director,
Adi Dravidar and Tribal Welfare Board,
Chepauk, Chennai.

3. The District Collector,
Madurai District, Madurai.

4. The District Welfare Officer,
Adi Dravidar and Tribal Welfare Board,
Madurai District.

5. The Revenue Divisional Officer,
Melur, Madurai District.

+1 CC to M/s.GP (SR-14981[F] dated 26/08/2020)

W.P. (MD) No. 9983 of 2020

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