

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 03.02.2021

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN
AND
THE HONOURABLE MR. JUSTICE A.A.NAKKIRAN

WP.No.2119/2021

[Video Conferencing]

P.Baskaran

..Petitioner

Versus

1.The District Collector
Thiruvannamalai
Thiruvannamalai District.

2.The Revenue Divisional Officer
Thiruvannamalai,
Thiruvannamalai District.

..Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents to issue community certificates to petitioner and his children P.Priyanka, P.Kawiya and P.Saitharun to the effect that they belong to the Malaikuravan/Malakuravan community [Scheduled Tribe] on the basis of the community certificate D.Dis.915/97 dated 27.02.1997 issued in favour of petitioner's own sister Mrs.S.Kasthuri which was confirmed as "genuine" by the State Level Scrutiny Committee by proceedings No.31917/CV-II/2004-23 dated 12.12.2014 based on the petitioner's application within a stipulated time.

For Petitioner : Mr.N.Naganathan

For RR 1 & 2 : Mr.R.Vijayakumar

Additional Government Pleader

ORDER

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

(1)By consent, the writ petition is taken up for final disposal and is disposed of by this order.

(2)Mr.R.Vijayakumar, learned Additional Government Pleader accepts notice on behalf of the respondents.

(3)The petitioner, originally through the Scheduled Tribe Welfare Association, submitted an application seeking for issuance of Hindu Scheduled Tribe Malaikuravan Community Certificate for himself and for his children, viz., Priyanka, Kawiya and Saitharun and to evidence the fact that he belongs to the said community, he had enclosed his Transfer Certificate dated 12.08.1995 as well as the Community Certificate of his sister, viz., Tmt.Kasthuri bearing Certificate No.020508 issued by the Revenue Divisional Officer, Tiruvannamalai, and the genuineness of the Certificate issued in favour of his sister also came to be confirmed vide proceedings of the State Level Scrutiny Committee for Scheduled Tribes dated 12.12.2014. The petitioner also filed WP.No.34416/2019 against the respondents for issuance of the said certificate and it was given disposal vide order dated 22.01.2020 by permitting the petitioner to submit a fresh application by enclosing relevant and authenticated documents and accordingly, the petitioner has submitted an application afresh on 03.03.2020.

(4)The grievance expressed by the petitioner is that despite a lapse of nearly one year and odd, no progress is taking place in respect of the said application despite the fact that he attended the enquiry in pursuant to the summons dated 16.03.2020 issued by the respondents and hence, prays for appropriate orders.

(5)The Court heard the submissions of Mr.R.Vijayakumar, learned Additional Government Pleader appearing for the respondents and also perused the materials placed before it.

(6)Thought the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the 2nd respondent to take into consideration the summons dated 16.03.2020 bearing Letter No.A2/114/2020 as well as the order dated 22.01.2020 made in WP.No.34416/2019 and consider and dispose of the petitioner's application dated 03.03.2020 for issuance of Hindu Scheduled Tribe Malaikuravan Community Certificate for the petitioner as well as to his three children on merits and in accordance with law and pass appropriate orders within a period of ten weeks from the date of receipt of a copy of this order / uploading of the order in the website and communicate the decision taken, to the petitioner herein.

(7)The writ petition stands disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

AP

To

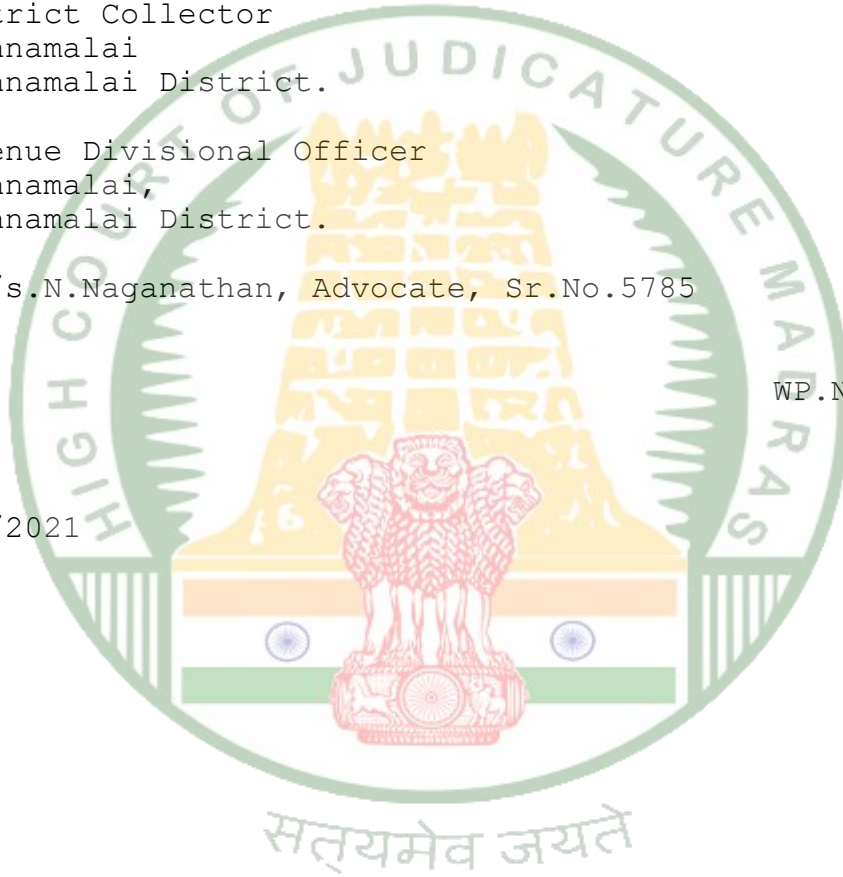
1.The District Collector
Thiruvannamalai
Thiruvannamalai District.

2.The Revenue Divisional Officer
Thiruvannamalai,
Thiruvannamalai District.

+1cc to M/s.N.Naganathan, Advocate, Sr.No.5785

WP.No.2119/2021

SMI (CO)
KKV/15/03/2021



WEB COPY