



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CRL.O.P No.7381 of 2018

and

Crl.M.P No.3833 of 2018

G.Mohan

...Petitioner

Vs.

State Rep. by
The Deputy Superintendent of Police,
Social Justice and Human Rights Unit,
Office of the Vigilance Cell,
Erode.

...Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, praying to call for the records of the enquiry summon dated 05.01.2018 pending on the file of the respondent herein and quash the same as illegal and without jurisdiction.

For Petitioners : Mr.L.Chandrakumar
For Mr.N.Naganathan

For Respondent : Mr.A.Gopinath
Government Advocate (Crl side)

ORDER

The petitioner, who is a member of Konda Reddy Community and has been issued such community certificate by the relevant competent officials, seeks to quash the enquiry summons dated 05.01.2018 issued by the respondent herein.

2. It is the case of the petitioner that he belongs to Konda Reddy Community and he was issued the said community certificate by the Tahsildar in the year 1976. Based on the said community certificate, the petitioner got employment in Southern Railways. The Adi-Dravidar Welfare Officer sought to question the genuineness of the community certificate issued by the petitioner and issued a communication dated 22.06.1996 to the authorities of the Southern Railways. The said communication was challenged by the petitioner before this Court in W.P.No.15533 of 1996. In the said Writ Petition, the Southern Railways has filed a counter affidavit stating that the communication dated



24.09.2002, observed that the community certificate issued by the appropriate authority continues to be valid until such certificate is cancelled in accordance with law as laid down by the Supreme court in AIR 1995 Supreme Court Page 94 Madhuri Patil V.Addl. Commissioner Tribal Development.

3. This court has also observed that if any occasion arises in future regarding the validity of the community certificate before the appropriate authority, the same has to be considered in accordance with law.

4. Without expressing any opinion on the genuineness of the community certificate issued to the petitioner, this Court directs the petitioner to appear before the respondent and produce the relevant documents that are in his possession to prove that he is a member of the Konda Reddy Community.

5. With the above direction, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

1. The Deputy Superintendent of Police,
Social Justice and Human Rights Unit,
Office of the Vigilance Cell,
Erode.

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.N.Naganathan, Advocate, S.R.No.45784

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NRL[co]
NSK 17/11/2021