



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.06.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
AND
THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

W.P.No.11636 of 2021

D.Ramesh,
S/o.A.Dhandapani,
Jawathu Hills,
Pudur Nadu (Via)
Tirupattur Taluk,
Tirupattur District 635655.

...Petitioner

Vs

1.The Member Secretary,
State Level Scrutiny Committee,
Adi Dravidar and Tribal Welfare Department,
Secretariat, Chennai 9.

2.The Deputy Superintendent of Police,
SC/STs Vigilance Cell, Chennai Region
District Adi Dravidar and Tribal Welfare Office
Collectorate, Singaravelar Maligai,
Chennai - 1

...Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, to direct the 2nd respondent to consider petitioner's representation dated 29.09.2020 and thereby to complete the genuineness verification enquiry pertains to the Petitioner's community certificate, bearing certification No.369015, R.Dis.4733/2012, dated 04.12.2012, issued by Sub-Collector, Tirupattur, Vellore District.

For Petitioner : Mr.M.P.Yuvaraj
For Respondents : Mr.R.Neelakandan
State Government counsel

O R D E R

(Order of the court was made by N.KIRUBAKARAN.J.,)
The matter was heard through "Video Conference".

2.The petitioner was granted community certificate specifying that he is "Hindu-Malayali" which is classified as Scheduled Tribe (ST) by virtue of community certificate



No.369015, R.Dis.4733/2012, dated 04.12.2012 issued by the Sub Collector, Tirupattur, Vellore District and now Tirupattur District. Based on the said community certificate, the Petitioner was appointed as Typist at Rural Development & Panchayatraj Department, Tanjavur District, Collector office by virtue of order dated 10.11.2017. Thereafter, by communication dated 16.09.2019, the 1st respondent requested the 2nd respondent to verify the genuineness of the said community certificate produced by the Petitioner. Subsequently the Petitioner has given a representation to transfer him from Tanjavur District to his native District. However, the same was rejected by the District Collector, Tanjavur by order dated 24.07.2019 stating that the genuineness of the community certificate given by the Petitioner has not been verified and his service has not been regularized.

3. Therefore, the petitioner has given a representation dated 29.09.2020 to 1st and 2nd respondents to complete the enquiry, so that his service could be regularised and he could get all the consequential benefits of promotion and transfer. Even though the said representation was given on 29.09.2020, neither order has been passed nor the Petitioner was given any relief, which compelled the petitioner to approach this Court.

4. Heard Mr.M.P.Yuvaraj, learned counsel appearing on behalf of the petitioner and Mr.R.Neelakandan, learned State Government counsel.

5. The genuineness of the community certificate of the Petitioner issued by the concerned authority has sought to be verified. In this regard an enquiry has already been commenced and the enquiry is pending from the year 2019 onwards. In view of the same, the respondents are directed to conduct and conclude the enquiry with regard to the genuineness of the community certificate of the Petitioner, within a period of twelve weeks from the date of receipt of a copy of this order, on its own merits and as per law.

6. With the above direction, this Writ Petition is disposed of. No costs.

-s/d-
Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar



To

1.The Member Secretary,
State Level Scrutiny Committee,
Adi Dravidar and Tribal Welfare Department,
Secretariat, Chennai 9.

2.The Deputy Superintendent of Police,
SC/STs Vigilance Cell, Chennai Region
District Adi Dravidar and Tribal Welfare Office
Collectorate, Singaravelar Maligai,
Chennai - 1

+1 CC to The Government Pleader sr 27475.

W.P.No.11636 of 2021

GPL(CO)
SP(23/07/2021)