



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2021

CORAM :

THE HON'BLE MR.JUSTICE N.KIRUBAKARAN
and
THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

W.P.No.13936 of 2021

K.Thirukkumaran

... Petitioner

Vs

1. The Collector,
Dharmapuri,
Dharmapuri District.

2. The Revenue Divisional Officer,
Dharmapuri,
Dharmapuri District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance a Writ of Mandamus, directing the 1st Respondent to dispose the appeal of the petitioner dated 15.03.2021 and to issue community certificate to the petitioner based upon the community certificate already issued to the petitioner's mother's sister's son K.Marudhan and daughter K.Manimekalai which was verified by the State Level Scrutiny Committee in Proceedings No.10890/CVIII/2014 dated 06.03.2015.

For Petitioner : Mr.V.Elangovan.

For Respondents : Mr. P.Balathandayutham,
State Government Counsel

O R D E R

(Order of the Court was delivered by N.KIRUBAKARAN, J)

The matter has been heard through "Video Conference".

2.The Petitioner has come before this Court seeking Writ of



Mandamus, directing the First Respondent to dispose of the Appeal filed by the Petitioner on 15.03.2021 against the rejection order passed by the Sub-Collector, Dharmapuri declining to give community certificate terming the Petitioner as 'Kurumans'.

3.The Petitioner claims that he belongs to 'Kurumans' which is classified as Scheduled Tribe community and therefore, the Petitioner filed an Application before the Revenue Divisional Officer seeking community certificate dated 02.07.2018. Since the said Application has not been disposed, the Petitioner filed a Petition in W.P.No.12497 of 2020 which was disposed on 11.09.2020 directing the Revenue Divisional Officer to pass appropriate orders.

4.Pursuant to that the Second Respondent conducted an enquiry and rejected the claim of the Petitioner for issuance of community certificate. Hence, the Petitioner filed an Appeal before the First Respondent on 15.03.2021 as per the Government Order in G.O.No.147 dated 17.03.2016. However, since no order has been passed, the Petitioner has come before this Court.

5.Heard Mr.V.Elangovan, Learned Counsel for the Petitioner and Mr.P.Balathandayutham, Learned State Government Counsel for the Respondents.

6.Without expressing any opinion on the merits of the case, this Court directs the First Respondent to hear the Petitioner and pass appropriate orders on merits in accordance with law on the Appeal filed by the Petitioner on 15.03.2021 within a period of twelve weeks from the date of receipt of a copy of this Order.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ay/rri

To

1. The Collector,
Dharmapuri,
Dharmapuri District.



2. The Revenue Divisional Officer,
Dharmapuri, Dharmapuri District.

+1cc to Mr.S.Doraisamy, Advocate, S.R.No.31620

+1cc to the Government Pleader, S.R.No.31988

W.P. No. 13936 of 2021

CA(CO)
HS(02/08/2021)