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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 07.12.2021

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THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P.No.17851 of 2021

M.Sekar

... Petitioner

-vs-

- 1.The Chairman
State Level Scrutiny Committee-II/
Additional Secretary to Government
Adi Dravida and Tribal Welfare (CV 3) Department
Secretariat, Chennai - 600 009.
- 2.The Director
Tribal Welfare
Chepauk
Chennai - 600 005.
- 3.The District Collector
Krishnagiri District
Krishnagiri.
- 4.The Revenue Divisional Officer
Krishnagiri District
Krishnagiri.
- 5.The Deputy Superintendent of Police
SC/ST - Vigilance Cell
Office of the District Adi Dravida & Tribal Welfare
Collectorate
Salem Region.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the Deputy Superintendent of Police, SC/ST - Vigilance Cell, Office of the District Adi Dravida & Tribal Welfare, Collectorate, Salem Region, 5th respondent herein to conduct an open enquiry pursuant to the order of the Chairman, State Level Scrutiny Committee - II/Additional Secretary to Government, Adi Dravidar & Tribal Welfare (CV 3) Dept, Secretariat, Chennai - 600 009,



the 1st respondent herein dated 16.12.2019 and complete the same within a time frame and send the report to the 1st respondent herein, through the 2nd respondent and pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

For petitioner : Mr.A.R.Suresh
For respondents : Mr.K.V.Sajeev Kumar,
Special Government Pleader

ORDER

(Order of the Court was made by K.KALYANASUNDARAM, J.,)

The petitioner has come forward with this writ petition, seeking issuance of writ of mandamus, directing the 5th respondent - Deputy Superintendent of Police, SC/ST - Vigilance Cell, Office of the District Adi Dravida & Tribal Welfare, Collectorate, Salem Region, to conduct an open enquiry as per the orders of the Chairman, State Level Scrutiny Committee - II/Additional Secretary to Government, and complete the same within a time frame to be fixed by this Court.

2.Mr.A.R.Suresh, learned counsel for the petitioner would submit that the community certificate sought for by the petitioner was rejected by the Revenue Divisional Officer, Krishnagiri and the same was confirmed by the District Collector, Krishnagiri. Aggrieved over the same, he preferred an appeal before the State Level Scrutiny Committee. It is further contended that though the State Level Scrutiny Committee directed the 5th respondent vide letter dated 16.12.2019, to conduct open enquiry and send a report, there is no progress and hence, the present writ petition.

3.Mr.K.V.Sajeev Kumar, learned Special Government Pleader appearing for the respondents would state that due to Covid-19 pandemic, the 5th respondent could not complete the enquiry procedure and he is ready to conclude the same within a period of eight weeks.

4.In the light of the limited scope of the prayer sought in this writ petition and the submissions of the learned counsels, this Court without expressing any opinion on the merits of the matter, directs the 5th respondent to complete the enquiry within a period of eight weeks and send a report to the 1st respondent. The State Level Scrutiny Committee, shall pass orders on the appeal preferred by the petitioner, within a period of four weeks there from.



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5. With the above directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

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To

1. The Chairman
State Level Scrutiny Committee-II/
Additional Secretary to Government
Adi Dravida and Tribal Welfare (CV 3) Department
Secretariat
Chennai - 600 009.
2. The Director
Tribal Welfare
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5. The Deputy Superintendent of Police
SC/ST - Vigilance Cell
Office of the District Adi Dravida & Tribal Welfare
Collectorate
Salem Region.

+1cc to Mr.A.R.Suresh, Advocate SR. No.64665

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GPL (CO)
PR (27/12/2021)