

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.17106 of 2014

G.Chandramohan

... Petitioner

Vs.

1.The Vice Chancellor,
University of Madras, Chennai - 05.

2.The Registrar,
University of Madras,
Chennai - 05.

3.The Principal,
J.H.A.Agarsen College,
No.1, Manjambakkam Road,
Madhavaram, Chennai

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus, directing the respondent to consider petitioner representation dated 19.06.2014 and to issue Transfer Certificate by effecting petitioner's community as Adi-Andhra instead of Adi Dravidar.

For Petitioner : Mr.S.L.Venkatesan & M.Aswin
For Respondents : Mr.L.P.Shanmugasundaram,
Special Government Pleader
for R1 & R2 Mr.B.Anand for R3

O R D E R

Since the dispute in the present Writ Petition lies in a short compass, it is taken up for final disposal.

2.The prayer in the Writ Petition is to direct the third respondent to consider the representation of the petitioner dated 19.06.2014 and to issue their transfer certificate by effecting the petitioner's community certificate as Adi-Andhra instead of Adi Dravidar.

3.The learned counsel for the petitioner has filed a copy of the community certificate of the petitioner's mother which is dated 29.03.1991 as per which the community for petitioner's mother is Adi-Andhra. The petitioner's community certificate also states that he belongs to the aforesaid community (26.06.1995). Though the petitioner's community certificate states to be Adi-Andhra, in the transfer certificate, the respondent have stated that petitioner belongs to Indian, Hindu Adi-Dravidar.

4.The learned counsel for the third respondent states that the community certificate was made based on the transfer certificate of the petitioner issued by the school from where the petitioner passed out and therefore they could not deviate from the same. The learned counsel for the first and second respondents Mr.I.P.Shanmugasundaram, submits that they have to say in the said dispute and it is from the third respondent to issue proper certificate.

5.I have considered the arguments of the learned counsel for the petitioner and the learned counsel for the thirds respondent.

6.The petitioner has demonstrated that he belongs to Adi-Andhra, Hindu. Therefore there is no harm in the third respondent in issuing a correct transfer certificate incorporating the correct community of the petitioner.

7.Under these circumstances, the Writ Petition stands allowed by directing the third respondent/College to issue a fresh transfer certificate to the petitioner incorporating the correct community of Writ Petitioner as Adi-Andhra in terms of the community certificate of the Writ Petitioner and his mother within a period of two weeks from today. The petitioner shall surrender the original of transfer certificate issued earlier for destruction by the 3rd respondent.

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8.Writ Petition stands allowed with the above observations.
No costs.

Sd/-
Asst.Registrar (CS IV)

/true copy/
Sub Asst. Registrar

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To

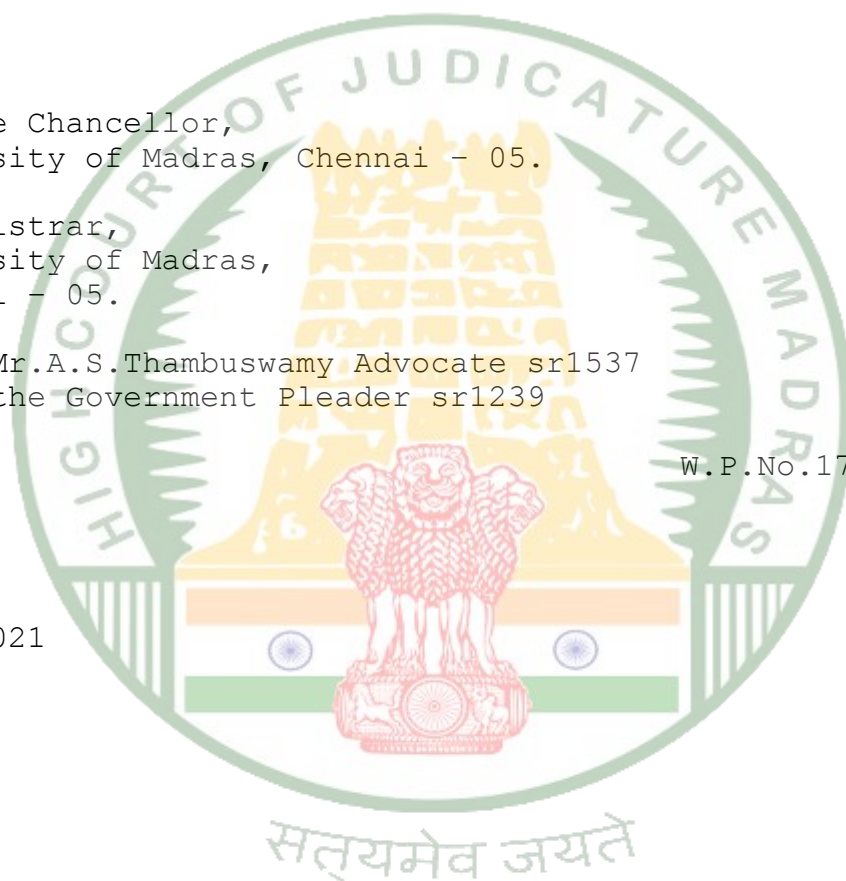
1.The Vice Chancellor,
University of Madras, Chennai - 05.

2.The Registrar,
University of Madras,
Chennai - 05.

+1 cc to Mr.A.S.Thambuswamy Advocate sr1537
+1 cc to the Government Pleader sr1239

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