



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.11.2021

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
AND
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.No.23382 of 2021
and
W.M.P.No. 24661 of 2021

K. Govindaraju

.... Petitioner

Vs.

1. The District Collector,
Collectorate,
Villupuram District,
Villupuram.
2. The District Collector,
Collectorate,
Kallakurichi District,
Kallakurichi.
3. The Revenue Divisional Officer,
Thirukovilur,
Kallakurichi District.
4. The Tahsildhar,
Ulundurpet Taluk,
Kallakurichi District.
5. The Village Administrative Officer,
Vada Mambakkam, Naththamur Post,
Ulundurpet Taluk,
Kallakurichi District.
6. Vidya Mandir
Matriculation Higher Secondary School,
Represented by the Principal,
Thirukoilur,
Kallakurichi District.

.... Respondents



Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the Second and Third Respondents to issue community certificate to the Petitioner and his family members to the effect that they belong to the sub-caste Hindu Malai Kuravan/Malakuruva of the caste schedules Tribes

For Petitioner : Mr.T. Raghavan

For Respondents : Mr.K.V. Sajeew Kumar
Government Counsel

O R D E R

(Order of this Court was made by S. VAIDYANATHAN., J)

The Writ Petition has been filed seeking direction to the Second and Third Respondents to issue community certificate to the Petitioner and his family members to the effect that they belong to the sub-caste Hindu Malai Kuravan/Malakuruva of the caste schedules Tribes

2. Mr.K.V.Sajeew Kumar, learned Government Counsel takes notice for the Respondents.

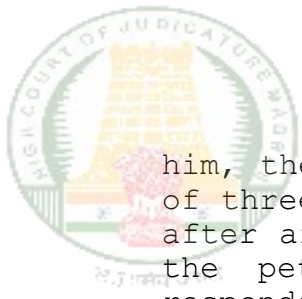
3. By consent of both sides, this Writ Petition is taken up and disposed of at the stage of admission itself.

4. The learned counsel appearing for the Petitioner submitted that despite several representations being sent to the respondents 2 and 3, along with required proof seeking to issue community certificate to the petitioner to the effect that he belongs to Hindu Malai Kuravan/Malakuruva of the Schedules Tribes community, no action has been taken till date.

5. The learned Government Counsel appearing for the Respondents filed a counter affidavit stating that the petitioner does not belong to Hindu-Malakuruva Scheduled Tribe, as per the anthropologist's report.

6. Considering the facts and circumstances of the case and also in view of the submissions made, we cannot issue positive direction to issue community certificate as the same could be issued only after conducting detailed enquiry.

7. In such view of the matter, this Writ Petition is disposed of. The Third Respondent/Revenue Divisional Officer is directed to conduct detailed enquiry and based on the verbal enquiry conducted him and also on the documents placed before



him, the third Respondent shall take a decision, within a period of three months from the date of receipt of a copy of this order after affording an opportunity of hearing to the petitioner. If the petitioner is aggrieved by the decision of the third respondent, it is open to him to challenge the same, in the manner known to law. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

arr

To

1. The District Collector,
Collectorate,
Villupuram District,
Villupuram.
2. The District Collector,
Collectorate,
Kallakurichi District,
Kallakurichi.
3. The Revenue Divisional Officer,
Thirukovilur,
Kallakurichi District.
4. The Tahsildhar,
Ulundurpet Taluk,
Kallakurichi District.
5. The Village Administrative Officer,
Vada Mambakkam, Naththamur Post,
Ulundurpet Taluk,
Kallakurichi District.

+2ccs to Mr.T.Raghavan, Advocate, S.R.No.56971

+1cc to the Government Pleader, S.R.No.57188

W.P.No.23382 of 2021

VBM(CO)
SU(26/11/2021)