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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 15.12.2021

CORAM:

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

W.P. No.24316 of 2021

A.Selvaraj

.. Petitioner

Versus

1. The District Collector,
Salem District,
Salem.
2. The Revenue Divisional Officer,
Attur,
Salem District.
3. The Revenue Divisional Officer,
Harur, Dharmapuri District.
4. The Tahsildar,
Thalaivasal Taluk,
Salem District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus, directing the 2nd respondent to issue Schedule Tribes (ST) Malaiyali Community Certificate to the petitioner's son namely Samraj in view of the petitioner's wife community namely Schedule Tribes(ST)-Malaiyali Community.

For petitioner : M/s.S.Vinodha

For respondents: Mr.M.Alagu Goutham
Government Advocate

ORDER

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

The Writ Petition is heard through video conferencing.



2. This Writ Petition has been filed for issuance of a Writ of Mandamus directing the second respondent to issue Schedule Tribes Malaiyali Community Certificate to the petitioner's son Samraj.

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3. Heard Ms.S.Vinodha, learned counsel for the petitioner and Mr.M.Alagu Goutham, learned Government Advocate for the respondents and perused the materials available on record.

4. The petitioner would state that he belongs to Reddiyar Community, which comes under the category of Backward Class. He married one Selvakumari in the year 2002 and she belongs to Hindu Malaiyali Community, which comes under the Schedule Tribes Category.

5. It is the case of the petitioner that his wife Selvakumari submitted a representation on 19.11.2018 to the Revenue Divisional Officer, Harur to issue Community Certificate and after enquiry, she was directed to approach the concerned authority in Salem District. Subsequently, an application was filed before the Revenue Divisional Officer, Attur. Though he conducted enquiry, but no order has been passed so far. Hence, the present Writ Petition.

6. The learned Government Advocate Mr.M.Alagu Goutham, on instructions would state that the application of the petitioner's wife is pending before the Revenue Divisional Officer, Attur and he is ready to pass orders on the said application.

7. Taking note of the submissions of the learned counsels appearing on either side, this Court, without expressing any opinion on the merits of the matter, directs the second respondent to pass orders on the application of the petitioner's wife Selvakumari in accordance with law, after affording ample opportunity to the necessary parties, within a period of six months.

8. With the above directions, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar



pvs

To

1. The District Collector,
Salem District,
Salem.
2. The Revenue Divisional Officer,
Attur,
Salem District.
3. The Revenue Divisional Officer,
Harur, Dharmapuri District.
4. The Tahsildar,
Thalaivasal Taluk,
Salem District.

+1 cc to M/s.S.Vinodha, Advocate Sr.NO. 67579

+1 cc to Government Pleader Sr.NO. 67476

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EV(CO)
A.SK(04.01.2022)