



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.23548 of 2021

N.Premalatha

...Petitioner

Vs.

1. The Secretary,
The Adidraavidar and Tribal Welfare Department,
Secretariat, Fort St. George,
Chennai - 600 009.
2. The Collector,
O/o The Collectorate,
Vellore District.
3. The Thasildar,
O/o Thasildar, Anaikattu,
Vellore District.
4. The Revenue Divisional Officer (RDO),
O/o Revenue Divisional Officer (RDO),
Vellore.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the Respondents 2 to 4 to consider petitioner application dated 23.09.2021 within the time frame fixed by this Court.

For Petitioner : Mr.K.Seetharam

For Respondents : Mr.K.V. Sajeev 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 Respondents 2 to 4 to consider Petitioner's Application dated 23.09.2021 within the time frame fixed by this Court.



2. Mr.K.V.Sajeev 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 her educational certificates reflects that the Petitioner belongs to "Kurumans" Scheduled Tribe Community, the respondents 2 to 4 has not issued community certificate to the petitioner by mentioning her caste name as "Kurumans", a Scheduled Tribe Community and hence the petitioner submitted an application to the respondents 2 to 4 on 23.09.2021, along with required documents, which has not been considered till date. He therefore submitted that the application of the petitioner may be directed to be considered by the concerned respondents.

5. The learned Government Counsel appearing for the Respondents submitted that only after detailed enquiry, the request of the petitioner will be considered.

6. Considering the facts and circumstances of the case and also in also in view of the submissions made, we cannot issue positive direction to the Respondents 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, by directing the Fourth Respondent/Revenue Divisional Officer to conduct detailed enquiry and based on the verbal enquiry conducted him and also on the documents placed before him, the Fourth Respondent shall take a decision on the application of the petitioner dated 23.09.2021, within a period of three months from the date of receipt of a copy of this order. If the petitioner is aggrieved by the decision of the Fourth respondent, it is open

to him to challenge the same, in the manner known to law. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar



arr/shk

To

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2. The Collector,
O/o The Collectorate,
Vellore District.
3. The Thasildar,
O/o Thasildar, Anaikattu,
Vellore District.
4. The Revenue Divisional Officer (RDO),
O/o Revenue Divisional Officer (RDO),
Vellore.

+1cc to Mr.K.Seetharam, Advocate, S.R.No.57032
+1cc to the Government Pleader, S.R.No.57163

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