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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.12.2021

CORAM:

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

W.P.No.23968 of 2021

C.Chinnaswamy

...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 the 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 the petitioner's application dated 23.09.2021 within the time frame fixed by this Court.

For Petitioner : Mr.K.Seetharam

For Respondents : Mr.M.Alagu Goutham
Govt. Advocate (for R1 to R4)

ORDER

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

Mr.M.Alagu Goutham, learned Government Advocate takes notice for the respondents.By consent of both sides, this writ petition is taken up for final disposal at the admission stage itself.



2.The petitioner has come forward with this writ petition seeking for issuance of a Writ of Mandamus directing the respondents 2 to 4 to consider the petitioner's application dated 23.09.2021 within the time framed.

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3.The petitioner would claim that he belongs to "Kurumans" community, which has been classified as 'Schedule Tribe' and his application for issuance of community certificate was not considered.

4.The learned counsel appearing for the petitioner Mr.K.Seetharam would state that the petitioner attempted to apply for community certificate through online, but the application was not accepted for sole reason that the parents of the petitioner were not issued community certificate. Hence, the petitioner sent his application through registered post. In this regard, the petitioner has filed an additional affidavit.

5.The learned Government Advocate appearing for the respondents Mr.M.Alagu Goutham would state that as per the Government Order, the petitioner has to submit application through online and the application submitted through registered post cannot be taken up for consideration.

6.In the matter on hand, according to the petitioner, his parents did not possess community certificates and hence, online application submitted by the petitioner was not accepted in e-sevai maiyam.

7.Taking note of this aspect, we hereby direct the fourth respondent to consider the application of the petitioner submitted through registered post dated 22.09.2021 and pass orders in accordance with law after providing ample opportunity to the petitioner within a period of three months from the date of receipt of a copy of this order.

8.With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

skn



To

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 the Revenue Divisional Officer (RDO),
Vellore.

+1cc to Mr.K.Seetharam, Advocate, S.R.No.66187

+1cc to the Government Pleader, S.R.No.66635

W.P.No.23968 of 2021

PVS (CO)

RGA (03/01/2022)