



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 15.12.2021

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

W.P.NO.26690 OF 2021

M.Thulasi

... Petitioner

-vs-

1.The District Collector
Thiruvannamalai
Thiruvannamalai District.

2.The District Revenue Officer
Thiruvannamalai
Thiruvannamalai District.

3.The Revenue Divisional Officer
Arni
Thiruvannamalai District.

4.The Tahsildar
Kalasapakkam
Kalasapakkam District
Thiruvannamalai District.

... Respondents

PRAYER:

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records relating to the order dated 31.08.2021 in Na.Ka.No.2035/2021 passed by the 3rd respondent herein, quash the same and consequently direct the 3rd respondent to issue Hindu-Kattunayakan, Scheduled Tribe certificate to petitioner's children.

For petitioner : Mr.N.Elumalai

For respondents: Mr.K.V.Sajeev Kumar
Special Government Pleader



ORDER

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

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This writ petition has been filed for issuance of writ of certiorarified mandamus, calling for the records relating to the order dated 31.08.2021 in Na.Ka.No.2035/2021 passed by the 3rd respondent, quash the same, wherein the community certificate sought for in favour of the petitioner's children was rejected, consequently direct the 3rd respondent to issue the community certificate as Hindu-Kattunayakan, Scheduled Tribe.

2.We have heard Mr.N.Elumalai, learned counsel for the petitioner and Mr.K.V.Sajeev Kumar, learned Special Government Pleader appearing for the respondents.

3.Perusal of the impugned order shows that on 02.07.2014 and 11.07.2014, based on the application of the petitioner's husband, viz., Muthu Saravanan, community certificates were issued in favour of the petitioner's children, viz., M.Guruprasad and M.Shalini.

4.It is the submission of the learned counsel for the petitioner that those certificates were issued without proper verification and enquiry and hence the present writ petition has been filed.

5.According to Mr.K.V.Sajeev Kumar, learned Special Government Pleader, unless the earlier certificates were canceled in the manner known to law, the petitioner is not entitled to seek for fresh community certificates. It is also submitted that as per the G.O.Ms.No.08/BC,MBC and Minorities Welfare (BCC) Department dated 09.02.2021, in the case of inter-caste marriage, parents are given opportunity to choose any one of the community and that can be exercised only once. In the present case, the petitioner's husband had sought for certificate based on his community and the children were issued with the community certificates as that of their father's community-Hindu-Vadugar-BC and hence there is no illegality.

6.As rightly pointed out by the learned Special Government Pleader, unless the earlier certificates issued in favour of the petitioner's children are canceled, the petitioner is not



entitled to seek fresh community certificates. Hence, we find no merit in this writ petition.

7. Accordingly, this writ petition stands dismissed, as devoid of merits. It is upto the petitioner to approach the concerned authorities, for redressal of her grievance. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1.The District Collector
Thiruvannamalai
Thiruvannamalai District.

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Kalasapakkam
Kalasapakkam District
Thiruvannamalai District.

+1cc to Mr.N.Elumalai, Advocate, S.R.No.67126

W.P.No.26690 of 2021

BS (CO)
PM/07/02/2022