



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.02.2021

CORAM :

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The Hon'ble Mr.SANJIB BANERJEE, THE CHIEF JUSTICE
AND
The Hon'ble Mrs.JUSTICE R.HEMALATHA

W.P.(MD) No.403 of 2020

and

W.M.P.(MD) No.319 of 2020

S.Yamini

... Petitioner

Vs

1. The Chairman,
State Level Scrutiny Committee II,
Additional Secretary to Government,
Adi-Dravidar and Tribal Welfare (CV3) Dept.,
Secretariat, Chennai - 600 009.
2. The Revenue Divisional Officer,
Collectorate, Madurai - 625 020.
3. The District Adi-Dravidar and Tribal
Welfare Officer,
Collectorate, Madurai - 625 020.
4. The Deputy Superintendent of Police,
SC/ST Vigilance Cell,
Collectorate,
Madurai Region,
Madurai - 625 020.
5. The Dean,
Madurai Medical College,
Madurai - 625 020.

... Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Certiorarified Mandamus, calling for the records of the 1st respondent's impugned letter in letter No.19793/CVIII/2019-1, dated 26.11.2019 as illegal and quash the same and further restraining them from conducting any enquiry on the community status of the petitioner.



For Petitioner

: Mrs.P.Kalaiyarasi Bharathi

For Respondents

: Mr.K.P.Krishnadoss,
Special Government Pleader
for R1to R4

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ORDER

[Order of the Court was made by ***The Hon'ble Chief Justice***]

The petitioner refers to a previous order of this Court of March 2, 2018, passed in similar circumstances by a coordinate Bench.

2. The matter pertains to the community certificate issued in favour of the petitioner based on the similar community certificate issued in favour of the petitioner's father. The petitioner complains that now the petitioner is ensconced in a suitable position, a needless inquiry has started to ascertain the veracity of the petitioner's community certificate.

3. In similar circumstances, the previous order of this Court passed on March 2, 2018 held that if the father's certificate was the basis for issuance of the son's or daughter's certificate, the son/daughter's certificate could not be independently verified.

4. Accordingly, by following the dictum in the previous case, the respondents are restrained from conducting any inquiry into the veracity of the petitioner's community certificate. However, nothing will prevent the respondents from ascertaining the veracity of the community certificate issued to the petitioner's father and any change in such community certificate may have a consequential repercussion on the community certificate held by the petitioner herein.

5. W.P.(MD)No.403 of 2020 is disposed of without any order as to costs. W.M.P(MD)No.319 of 2020 is closed.

Sd/-

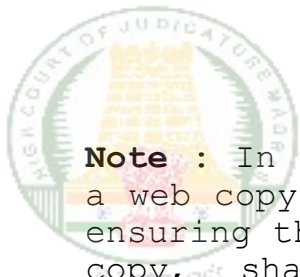
Assistant Registrar (Cr1)

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Sub Assistant Registrar(CS)

SMN-2/PKN



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To

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+1 CC to THE SPECIAL GOVERNMENT PLEADER(SR-7285[F] dated 25/02/2021)

Order made in
W.P. (MD) No.403 of 2020 and
W.M.P. (MD) No.319 of 2020
24.02.2021

ES (CO)

SRS (05/03/2021) 3P : 7C