



WEB COPY

W.P(MD)No.14662 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

AND

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P (MD) No.14662 of 2021

and

W.M.P. (MD) No.11594 of 2021

M.Mookaiah

... Petitioner

Vs.

1.The Sub Collector,
Thoothukudi,
Thoothukudi District.

2.The Tahsildar,
Thoothukudi,
Thoothukudi District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of Certiorarified Mandamus to call for the records as pertaining to the impugned order passed by the first respondent in Mu.Mu.A2/900/2021, dated 10.06.2021 and quash the same as illegal and consequently direct the respondents to issue the "Hindu Kattunayakan Community Certificate" in favour of the petitioner's daughters namely Mariammal and Kaleeswari within a time stipulated by this Court.

For Petitioner : Mr.S.Muthumalairaja

For Respondents : Mr.P.Thilakkumar
Standing Counsel for the Government

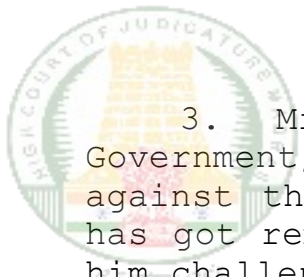
ORDER

(Order of this Court was made by **M.DURAI SWAMY, J.**)

The petitioner has filed the above writ petition to issue a writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the first respondent, dated 10.06.2021 and quash the same as illegal and consequently direct the respondents to issue the "Hindu Kattunayakan Community Certificate" in favour of the petitioner's daughters, namely Mariammal and Kaleeswari, within a time frame.

2. The petitioner has challenged the order passed by the first respondent, dated 10.06.2021 in this writ petition.

<https://hcsa.judges.org.in/hcsa/indices>



3. Mr.P.Thilakkumar, learned Standing Counsel for the Government, taking notice for the respondents, submitted that as against the order passed by the first respondent, the petitioner has got remedy by way of an appeal and the writ petition filed by him challenging the impugned order is not maintainable.

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4. We totally agree with the submission made by the learned Standing Counsel for the Government, appearing for the respondents. Since the petitioner has got remedy by way of an appeal before the District Collector, challenging the order passed by the first respondent, we are not inclined to entertain the writ petition. Accordingly, the Writ Petition is dismissed, however, we give liberty to the petitioner to challenge the impugned order dated 10.06.2021, before the appellate authority in accordance with law. No costs. Consequently, the connected Miscellaneous Petition is also dismissed.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

SSL

Note :In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1.The Sub Collector,
Thoothukudi,
Thoothukudi District.

2.The Tahsildar,
Thoothukudi,
Thoothukudi District.

+1 CC to M/s.GP (SR-26749[F] dated 19/08/2021)

W.P(MD)No.14662 of 2021
18.08.2021

DJ(CO)

SP(27.08.2021) 2P 4C

<https://hcservices.ecourts.gov.in/hcservices/>