



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.10.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, THE CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P. (MD) No.18891 of 2021

M.Ganesan

... Petitioner

Vs.

1.The District Collector,
Tenkasi District,
Tenkasi.

2.The Revenue Divisional Officer,
Tenkasi Revenue Divisional Office,
Tenkasi,
Tenkasi District.

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records pertaining to the order passed by the second respondent in his proceedings in O.Mu.A2/3064/2021, dated 29.07.2021 and to quash the same and consequently to direct the second respondent to issue Community Certificate to the Petitioner's Children 'G.Rajeswari and G.Mariselvam' as Malaikkuravan.

For Petitioner : Mr.S.Jothimani

For Respondents : Mr.P.Thilak Kumar
Government Pleader.

ORDER

[Order of the 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 order passed by the second respondent, dated 29.07.2021 and to quash the same and consequently, directing the respondent to issue Community Certificate to the petitioner's children, namely, G.Rajeswari and G.Mari Selvam as Malai Kuravan Community.

2.The second respondent rejected the application submitted by the petitioner on the ground that the petitioner had not produced any document to establish that he belongs to Malai Kuravan Community.



3.Mr.P.Thilak Kumar, learned Government Pleader taking notice for the respondents, submits that as against the order passed by the second respondent, the petitioner has a remedy by way of an appeal before the first respondent.

4.Since the petitioner has filed the Writ Petition without exhausting the alternate remedy by way of appeal available to him before the first respondent, we are not inclined to entertain the Writ Petition. Accordingly, W.P(MD) No.18891 of 2021 is disposed of. However, we give liberty to the petitioner to challenge the impugned order, dated 29.07.2021, passed by the second respondent before the first respondent in accordance with law.

There will be no order as to costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

RM/MR

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 District Collector,
Tenkasi District,
Tenkasi.

2.The Revenue Divisional Officer,
Tenkasi Revenue Divisional Office,
Tenkasi,
Tenkasi District.

+1 CC to M/s.S.JOTHI MANI, Advocate (SR-32526[F] dated 26/10/2021)

+1 CC to M/s.SPL.GP (SR-32562[F] dated 26/10/2021)

W.P. (MD) No.18891 of 2021
25.10.2021

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