



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 27.07.2021**

**CORAM :**

**THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM**

**AND**

**THE HONOURABLE MRS.JUSTICE S.ANANTHI**

**W.P.(MD) No.14262 of 2015**

WEB COPY

V.Lakshmi

.. Petitioner

Vs

The Tahsildar,  
The Tahsildar Office,  
Rajapalayam,  
Virudhunagar District.

... Respondent

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the respondent in Na.Ka.P5/5989/2015, dated 17.06.2015 and quash the same and further direct the respondent to issue a other Backward Classes Certificate to the petitioner's son Mr.Bommaiyaraj.

For Petitioner

: Mr.K.Kumaravel

For Respondent

: Mr.A.K.Manickam

Standing Counsel for Government

**O R D E R**

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

Heard Mr.K.Kumaravel, learned counsel for the petitioner and Mr.A.K.Manickam, learned Standing Counsel for Government, appearing for the respondent.

2.This Writ Petition has been filed challenging order passed by the respondent dated 17.06.2015, rejecting the petitioner's application for grant of Community Certificate, certifying that his son belongs to Other Backward Class.

3.The respondent by referring the order in W.P.(MD) No.4259 of 2006, passed by the Division Bench of this Court dated 20.01.2014, rejected the petitioner's application. In our considered view, if the petitioner has made an application for OBC certificate for his son, the respondent should conduct enquiry and thereafter, pass orders on merits and in accordance with law and the manner in which the rejection order is passed is unjustifiable.



4. In view of the above, the Writ Petition stands allowed and the impugned order passed by the respondent dated 17.06.2015 is set aside and the respondent is directed to conduct an enquiry by offering an opportunity of personal hearing to the petitioner, so as to enable her to produce the relevant documents and after considering the relevant particulars, the respondent shall pass a speaking order on merits and in accordance with law. This direction shall be complied with within three months from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sj

*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

The Tahsildar,  
The Tahsildar Office,  
Rajapalayam,  
Virudhunagar District.

+1 CC to M/s.K.KUMARAVEL, Advocate ( SR-24127[F] dated 28/07/2021 )

+1 CC to M/s.SPL GP ( SR-24366[F] dated 29/07/2021 )

**W.P. (MD) No.14262 of 2015**

**27.07.2021**

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