

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.02.2022

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA
AND
THE HONOURABLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

W.P.No.1886 of 2022

S.Rajan

...Petitioner

vs

1. The District Collector,
Tiruvannamalai District.
2. The Tahsildar,
Kalasapakkam,
Tiruvannamalai District.
3. The Tahsildar,
Polur,
Thiruvannamalai District.
4. Bhuvaneswari

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the first respondent to pass order based on the report of the second respondent in Na.Ka.Aa.3/3118/2020 dated 09.12.2020 and communication of the third respondent in Oo.Mu.je.1/0019/2021 dated 10.08.2021.

For Petitioner : Ms.S.Valarmathi

For Respondents: Mr.K.V.Sajeev Kumar,
Special Government Pleader
for R1 to R3

ORDER

[Order of this Court was delivered by T.RAJA, J.]

This petition has been filed seeking a direction to the first respondent to pass orders based on the report of the second respondent in Na.Ka.Aa.3/3118/2020 dated 09.12.2020 and communication of the third respondent in Oo.Mu.je.1/0019/2021 dated 10.08.2021.

2.Learned counsel appearing for the petitioner submitted that during the year 2019, election for the post of President of Gram Panchayat, Melsolankuppam Village, Kalasapakkam Taluk, Tiruvannamalai District was held on 25.12.2019 and the said seat was reserved for the candidate, who belongs to Scheduled Caste category. Though both the petitioner and the fourth respondent have filed their nomination papers for the post of President of Gram Panchayat, the fourth respondent, who does not belong to Scheduled Class Category, was declared elected, but, she managed to get Scheduled Caste Certificate in the year 2011 and participated in the 2019 Panchayat election. In this regard, the petitioner has made a representation to the first respondent, who in turn, called for the report from the Tahsildar, Kalasapakkam, the second respondent herein. Learned counsel appearing for the petitioner, drawing our notice to a report dated 09.12.2020 filed by the Tahsildar, Kalasapakkam, addressing to the District Election Officer cum District Collector, Thiruvannamalai, submitted that when the enquiry was conducted to find out the caste and community of the fourth respondent, it was found that her mother Saroja belongs to Hindu Agamudaiyar and her father (late) Aranganathan belongs to Hindu Adhi Dravidar and her husband Pugalendhi belongs to Yadhavar community. Learned counsel for the petitioner also drawing our notice to another report dated 10.08.2021 filed by the Tahsildar, Polur, submitted that a different stand was taken by the Tahsildar, Polur stating that when enquiry was conducted in Aalampoondi Village, Polur, there was no such person like late Aranganathan and therefore, further enquiry should be conducted. Therefore, the petitioner has come to this Court seeking the above direction.

3.We are unable to find any reason to order for second enquiry. A careful perusal of the report submitted by the Tahsildar, Kalasapakkam to the District Election Officer cum District Collector, Thiruvannamalai shows that after analysing the independent aspects in detail, he has given a detailed report stating that the fourth respondent belongs to Scheduled Caste community, her husband Pugalendhi belongs to Yadhavar Community, her father late Aranganathan belongs to Scheduled Caste Community and her mother Saroja belongs to Hindu Agamudaiyar. Therefore, the Tahsildar, Kalasapakkam, the second respondent herein, taking note of the school and college certificates of Bhuvaneswari, the fourth respondent herein, has come to the conclusion that she belongs to Scheduled Caste Community. But no such details found in the second report submitted by the Tahsilidar, Polur, who simply says that no such person like Aranganathan lived in Aalampoondi Village. When the Tahsildar, Kalasapakkam has given a detailed report stating that the fourth respondent belongs to Scheduled Caste community, after analysing the independent aspects in detail, we are of the

view that the fourth respondent belongs to Scheduled Caste Community and no further enquiry needs to be conducted. Therefore, we are inclined to dismiss this petition as there was no merit in the same. Accordingly, this writ petition stands dismissed. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

vga

To

1. The District Collector,
Tiruvannamalai District.
2. The Tahsildar,
Kalasapakkam,
Tiruvannamalai District.
3. The Tahsildar,
Polur,
Thiruvannamalai District.

W.P.No.1886 of 2022

GPL(CO)
RGA(02/03/2022)