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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.03.2022

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

and

THE HONOURABLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

W.P.No.5666 of 2020

Vanitha

... Petitioner

vs

1. The District Collector,
Krishnagiri,
Krishnagiri District.

2. The District Revenue Officer,
Krishnagiri,
Krishnagiri District.

3. The Revenue Divisional Officer,
Krishnagiri,
Krishnagiri District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the respondent to issue community certificate to the petitioner as "MALAYALI (ST) COMMUNITY" based on Scheduled Tribe List.

For Petitioner : Mr.K.Thiruvengadam

For Respondents : Mr.K.V.Sajeev Kumar,
Special Government Pleader

ORDER

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

The petitioner has come to this Court for issuance of a writ of mandamus under Article 226 of the Constitution of India, seeking a direction to the respondents to issue her community certificate as "MALAYALI (ST) COMMUNITY" based on Scheduled Tribe List.

2.Learned counsel appearing for the petitioner submitted that the petitioner, who is studying 2nd year B.Sc. in a College, belongs to Malayali Community, which is a Scheduled Tribe



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Community and the people, belongs to her Community, are used to graze goats and cows and collect honey and firewoods in the forest. Since her community is downtrodden community and the people are living below the poverty line, the Government of Tamil Nadu and the Central Government granted Scheduled Tribe status to her community. However, the petitioner and her family are permanently residing in the Puliyanoor Village, Krishnagiri District and her father is an agricultural coolie and earning below Rs.2,000/- per month. Since the petitioner's family is suffering without any standard income, it is very difficult to manage their daily livelihood. As all the family members are illiterate, they have no idea to obtain Malayali ST Community Certificate from the authorities concerned. In order to develop her family status and to get a job, the petitioner requires the said Certificate and therefore, she applied before the Tahsildar to issue Community Certificate on 05.07.2019 on the basis of her School Transfer Certificate, Family Income Certificate, Family Card, Family Adhar Card and relatives Community Certificate. As there was no response, she is before this Court.

3.Mr.K.V.Sajeev Kumar, learned Special Government Pleader appearing for the respondents submitted that for issuance of Community Certificate, the petitioner has wrongly approached the Tahsildar, instead of approaching the Revenue Divisional Officer, the third respondent herein. Therefore the petitioner has to approach the Revenue Divisional Officer, Krishnagiri District, the third respondent herein for issuance of Community Certificate with sufficient acceptable documents.

4.Since the learned counsel for the petitioner himself submitted that the petitioner has approached only the Tahsildar, we are inclined to dispose of this petition by giving liberty to her to approach the Revenue Divisional Officer, Krishnagiri District. Accordingly, this writ petition stands disposed of, granting liberty to the petitioner to approach the Revenue Divisional Officer, Krishnagiri District for issuance of Community Certificate with relevant documents. The Revenue Divisional Officer, Krishnagiri District shall consider the same and do the needful, after conducting detailed enquiry in this regard. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

vga



To

1. The District Collector,
Krishnagiri,
Krishnagiri District.

2. The District Revenue Officer,
Krishnagiri,
Krishnagiri District.

3. The Revenue Divisional Officer,
Krishnagiri,
Krishnagiri District.

+1cc to Mr.K.Thiruvengadam, Advocate, S.R.No.18414

+1cc to the Government Pleader, S.R.No.19156

W.P.No.5666 of 2020

RSV(CO)
CT 30/03/2022