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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2022

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THE HONOURABLE MR.JUSTICE T.RAJA
and
THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.No.13835/2022

S.Puvilan

... Petitioner

-vs-

1. The Revenue Divisional Officer,
O/o. the Revenue Divisional Officer,
Harur, Dharmapuri District,
Salem Bypass, Periyar Nagar,
Harur-636 903.

2. The Village Administrative Officer,
Mozhiyanur Village,
Pappireddipatti Taluk,
Dharmapuri District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking for issuance of a Writ of Mandamus, directing the respondents to issue ST Kurumans Community Certificate to the petitioner on the basis of the ST Kurumans Community Certificate of his sister Ms.S.Poovizhi and other close blood relatives within a time frame stipulated by this Court, after affording an opportunity of personal hearing.

For Petitioner : Ms.K.Nithyashree
For Respondents : Mr.V.Manoharan,
Government Advocate

ORDER

(Order of the Court was made by T.RAJA, J.)

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus, directing the respondents to issue a Scheduled Tribe Kurumans Community Certificate to the petitioner on the basis of the same Community Certificate issued to his sister Ms.S.Poovizhi and other close blood relatives within a time frame stipulated by this Court, after affording an opportunity of personal hearing to him.

2. Learned Counsel appearing for the petitioner would submit that the petitioner's father is a coolie and his mother



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is a house wife and since both of them are illiterate, they have not applied for Community Certificate to them. However, several of his close blood relatives are in possession of the Scheduled Tribe Kurumans Community Certificate. The petitioner's father's maternal uncle Mr.Chockkalingam has obtained Scheduled Tribe Kurumans Community Certificate and his son was also recommended to be issued with the same Community Certificate by a Five Member Committee based on which he was subsequently issued with Scheduled Tribe Kurumans Community Certificate. That apart, the petitioner's paternal uncles, namely, Mr.Vinoth and Mr.Anandvelu possess Scheduled Tribe Kurumans Community Certificate and his maternal uncles, namely, Mr.Rameshkumar and Mr.Gowtham also possess Scheduled Tribe Kurumans Community Certificate and the same Community Certificate obtained by one Mr.Nagalingam who is the petitioner's maternal uncle's son was held to be genuine by the State Level Scrutiny Committee. It is, on the strength of these community certificates, the petitioner's own sister Ms.S.Poovizhi was also issued with the Scheduled Tribe Kurumans Community Certificate. Therefore, the petitioner has also applied for Scheduled Tribe Kurumans Community Certificate through online on 08.12.2021 vide Application No.TN-520211208358 and till date, the said application has been kept pending for the reasons best known to them. Therefore, left with no other option, the petitioner has approached this Court by filing the present Writ Petition.

3. Learned Government Advocate appearing for the respondents drawing our notice to page No.45 of the typed set of papers filed by the petitioner would submit that the petitioner's application has been sent back to him with remarks that he needs to give a blood relation chart with the Village Administrative Officer. Therefore, firstly, the petitioner has to approach the 2nd respondent herein, namely, Village Administrative Officer, Mozhiyanur Village, Pappireddipatti Taluk, Dharmapuri District with a fresh application and obtain the blood relation chart appended by his signature and thereafter, to approach the 1st respondent.

4.In reply, learned Counsel for the petitioner would submit that though the petitioner has already approached the 2nd respondent herein, but, till date, no response is forthcoming.

5.We are able to see through paragraph 6 of the affidavit filed in support of the writ petition by the petitioner that his father's maternal uncle Mr.Chockkalingam and his son and his other close blood relatives, namely, his paternal uncles, namely, Mr.Vinoth and Mr.Anandvelu and his maternal uncles, namely, Mr.Rameshkumar and Mr.Gowtham have been issued with the Scheduled Tribe Kurumans Community Certificate. On that strength, it also appears that the petitioner's own sister Ms.S.Poovizhi was also issued with the Scheduled Tribe Kurumans



Community Certificate on the recommendation made by the Tahsildar, Pappireddipatti in his Proceedings in Na.Ka.No.3831/2014/B3 dated 16.06.2014.

6. In view of the above, we hereby direct the petitioner herein to approach the 2nd respondent herein, namely, Village Administrative Officer, Mozhiyanur Village, Pappireddipatti Taluk, Dharmapuri District, with a fresh application, within a period of one week and also along with a copy of this Order and on receipt of the same, the 2nd respondent herein is directed to entertain the said application and issue a blood relation chart to the petitioner forthwith enabling him to approach the 1st respondent herein, namely, the Revenue Divisional Officer, Revenue Divisional Office, Harur, Dharmapuri District, who in turn, on receipt of the Blood Relation Chart of the petitioner, consider the application of the petitioner and pass appropriate orders on merits and in accordance with law, within a period of four weeks thereafter, after giving an opportunity of personal hearing to the petitioner.

6. With the above observations and directions, the Writ Petition is disposed of. No costs.

-s/d-

Assistant Registrar(CO)

// True Copy //

Sub-Assistant Registrar

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To

1.The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Harur, Dharmapuri District,
Salem Bypass, Periyar Nagar,
Harur-636 903, Dharmapuri District.

2. The Village Administrative Officer,
Mozhiyanur Village,
Pappireddipatti Taluk,
Dharmapuri District.

+1cc to Mr.K.Nithyashree, Advocate, S.R.No.41700
+1cc to the State Government Pleader, S.R.No.41961

W.P.No.13835/2022

EV(CO)
GN(06/07/2022)