



WEB COPY



W.P.No.15855 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2022

CORAM

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

W.P.No.15855 of 2022

S.Veerabadran

.. Petitioner

-VS-

1.The Revenue Divisional Officer,
Dharmapuri,
Dharmapuri District.

2.The Revenue Divisional Officer,
Harur, Dharmapuri District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the first respondent to issue community certificate to the petitioner's children viz. 1)V.Sharumathi and 2)V.Lavanya that they belong to Kurumans (ST) Community based upon the community certificate already issued to the petitioner.

For Petitioner :: Mr.S.Doraiswamy

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



W.P.No.15855 of 2022

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

WEB COPY

The petitioner has filed this writ petition seeking a direction to the Revenue Divisional Officer, Dharmapuri, Dharmapuri District, the first respondent herein to issue community certificate to his children viz. 1)V.Sharumathi and 2)V.Lavanya that they belong to Kurumans (ST) Community, based upon the community certificate already issued to him.

2.Learned counsel appearing for the petitioner, referring to an earlier order dated 17.05.2017 passed by this Court in W.P. No.12717 of 2017, submitted that this Court, while disposing of the above writ petition, observing that once the petitioner has been issued with Kurumans ST community certificate, there is no reason to take a contrary view in respect of the petitioner's children, has directed the Revenue Divisional Officer, Harur, Dharmapuri District, who is the competent authority to verify the community status of the petitioner, to pass orders on the petitioner's application dated 15.07.2016 within a period of eight weeks from the date of receipt of the copy of the order. Learned counsel for the petitioner further submitted that the Revenue Divisional Officer need not direct the Tahsildar



W.P.No.15855 of 2022

to hold an enquiry based on certain records to be produced by the petitioner.

Since the petitioner is ready to produce any proof of service to substantiate his community status for issuance of the community certificate to his children, the Revenue Divisional Officer, who is the only competent authority to issue the same, cannot delegate the power to the Tahsildar to hold enquiry, when this Court had also directed the Revenue Divisional Officer to consider the case of the petitioner and issue community certificate to the petitioner's children.

3.Learned Special Government Pleader appearing for the respondents submitted that when the Revenue Divisional Officer, Harur has directed the Tahsildar to conduct personal enquiry, the Tahsildar is the competent authority to issue community certificate to the petitioner's children. Learned Special Government Pleader, drawing our notice to the proceedings dated 13.10.2018 issued by the Revenue Divisional Officer, Harur, submitted that the petitioner has to approach only the Revenue Divisional Officer, Dharmapuri, since he is the only competent authority to issue the community certificate to the children of the petitioner. This Court, in its



W.P.No.15855 of 2022

similar order dated 17.05.2017, has directed the Revenue Divisional Officer, Harur, Dharmapuri District to issue the same, but the Revenue Divisional Officer, Dharmapuri alone can consider and pass appropriate orders on the basis of the relevant documents.

4. We do not find any merit in the said submission. When the Revenue Divisional Officer is the competent authority to issue community certificate to the petitioner's children, we do not wish to give a direction to the Tahsildar to conduct enquiry and issue community certificate. Therefore, the petitioner is directed to place the following documents, namely, 1. Original community certificates belong to the petitioner and his blood relative; 2. Original Primary School Records/Transfer Certificates belong to the petitioner and his blood relative; 3. Other relevant records, showing his community; 4. Other details and records of the petitioner, his relative and ancestors, showing his culture, rituals and occupation; and 5. Details regarding Family Tree and a copy of this order before the Revenue Divisional Officer, Dharmapuri, Dharmapuri District within a period of two weeks from the date of receipt of a copy of this order. On receipt of the



W.P.No.15855 of 2022

same, the Revenue Divisional Officer, Dharmapuri, Dharmapuri District is directed to hold an enquiry on merits and issue community certificate within a period of six weeks thereafter.

5. With the above direction, this writ petition stands disposed of. However, there is no order as to costs.

(T.R.,J.) (K.B.,J.)
24.06.2022

vga

To

1. The Revenue Divisional Officer,
Dharmapuri,
Dharmapuri District.
2. The Revenue Divisional Officer,
Harur, Dharmapuri District.



WEB COPY



W.P.No.15855 of 2022

T.RAJA, J.
and
K.KUMARESH BABU,J.

vga

W.P.No.15855 of 2022

24.06.2022