



W.P.No.29107 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.No.29107 of 2022
and
W.M.P.No.28392 of 2022

Lanka Amala

...Petitioner

Vs.

1.Union of India,
Rep. by its Secretary,
Department of Revenue and
Disaster Management, Pondicherry,
Secretariat, Puducherry.

2.The Deputy Collector Revenue,
cum- Sub Divisional Magistrate,
Yanam.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorari, calling for the records leading to the issuance of impugned order dated 24.11.2014 issued by the 2nd respondent in No.281/DCR/DTRY/2014-2015 and quash as the same was passed by incompetent Authority and deviating from the procedure laid down in the G.O.Ms.No.152, dated 24.11.2005 issued by the 1st respondent.



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For Petitioner :Mr.A.Tamilvanan
For Respondents :Mrs.C.T.Ramesh,
Additional Government Pleader (Puducherry)

ORDER

(Order of the Court was made by **R.SUBRAMANIAN, J.**)

The grievance of the petitioner is that her community certificate has been cancelled by the Deputy Collector, Revenue contrary to the Government Order in G.O.Ms.No.152 dated 24.11.2005.

2. The order impugned in this writ petition viz., cancellation has been made by the Deputy Collector, Revenue. A perusal of the said Government Order, particularly Clause 10 makes it clear that it is the District Magistrate who has the power to cancel the certificate in consultation with the Members of the District Committee. Admittedly, such procedure has not been followed.



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3. Hence, this writ petition is **allowed** and the order impugned is set aside. No costs. Consequently, the connected miscellaneous petition is closed.

(R.S.M.,J.) (K.B.,J.)
16.11.2022

dsa

Index :No
Internet :Yes
Speaking order

To:-

- 1.The Secretary,
Union of India,
Department of Revenue and
Disaster Management, Pondicherry,
Secretariat, Puducherry.
- 2.The Deputy Collector Revenue,
cum- Sub Divisional Magistrate,
Yanam.



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