



W.P.No.32172 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.12.2022

CORAM:

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

W.P.No.32172 and 32175 of 2022

Kanniammal ...Petitioner in W.P.32172/2022

L.Jayadevi ...Petitioner in W.P.32175/2022

Vs.

The Revenue Divisional Officer,
Arani,
Thiruvannamalai District. ...Respondent in both the W.Ps

Prayer in W.P.No.32172 of 2022: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus, directing the respondent to issue a community certificate to petitioner and his children namely S.Bhuvanesh on the basis of community certificate issued to petitioners husband father's elder brother K.Mani, Certificate L.C.No.196/1976 dated 05.05.1976, his son M.Nagaraj certificate No.194725 and father's younger brother Elumalai's sons namely Arunkumar and Vinothkumar community certificate dated 10.03.2011 within a stipulated time.



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Prayer in W.P.No.32175 of 2022: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus, directing the respondent to issue a community certificate to petitioner and his children namely L.Deepalakshmi and L.Porselven on the basis of community certificate issued to petitioner's husband father's elder brother K.Mani, Certificate L.C.No.196/1976 dated 05.05.1976, his son M.Nagaraj certificate No.194725 and father's younger brother Elumalai's sons namely Arunkumar and Vinothkumar community certificate dated 10.03.2011 within a stipulated time.

For Petitioners : Mr.N.Naganathan in both WPs

For Respondent : Mrs.C.Sangamithirai,
Special Government Pleader in both WPs

COMMON ORDER

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

Prayer in both the writ petitions reads as follows:-

To direct the respondent to issue a community certificate to petitioners and their children on the basis of community certificate issued to petitioner's husband father's elder brother K.Mani, Certificate L.C.No.196/1976 dated 05.05.1976, his son M.Nagaraj certificate No.194725 and father's younger brother Elumalai's sons namely Arunkumar



*and Vinothkumar community certificate dated
10.03.2011 within a stipulated time.*

2. The claim of the petitioners who have married brothers is that their father-in-law's younger brother has been favoured with a certificate to the effect that he belongs to Kattunayakkan, a Scheduled Tribe Community and a direction has also been issued by this Court to the Revenue Divisional Officer, Arani to dispose of their applications within a period of three months from 25.10.2019. The complaint is that there is absolute inaction on the part of the Revenue Divisional Officer, Arani with regard to the claim of the petitioners.

3. Considering the fact that the petitioners have made an application even in the year 2019 and the Hon'ble Supreme Court in ***Kumari Madhuri Patil Vs. Additional Commissioner*** reported in ***1994 (6) SCC 241*** has held that the application for issuance of community certificate should be disposed of at the earliest, at any rate, within two months from the date of receipt of a copy of the order, we direct the respondent, the Revenue Divisional Officer, Arani to consider the application of the petitioner in the



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light of the certificate granted to their father-in-law's brother and pass orders within a period of three months from the date of receipt of a copy of the order.

4. Accordingly, these writ petitions are **disposed of**. No costs.

(R.S.M.,J.) (K.B.,J.)
02.12.2022

dsa
Index : No
Internet : Yes
Speaking order



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To:-

The Revenue Divisional Officer,
Arani,
Thiruvannamalai District.



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R.SUBRAMANIAN, J.
and
K.KUMARESH BABU, J.

dsa

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