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W.P.No.32840 of 2022

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

DATED: 08.12.2022

CORAM:

**THE HONOURABLE MS.JUSTICE V.M.VELUMANI**  
**and**

**THE HONOURABLE MRS.JUSTICE R.HEMALATHA**

**W.P.No.32840 of 2022**

R.Sudha

.. Petitioner

**Vs.**

1.The Sub-Collector,  
Office of the Sub-Collector,  
Mettur Dam,  
Mettur, Salem District.

2.The Revenue Divisional Officer,  
Mettur Taluk,  
Salem District.

.. Respondents

**Prayer:** Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the 2<sup>nd</sup> respondent to consider the petitioner's representation dated 09.09.2022 and to issue Kondareddis Community Certificate to her daughter namely S.Shri Varsha and her son namely S.Kanishk Sashank.

For Petitioner : Mr.S.Nagarajan

For Respondents : Mr.A.Selvendran  
Special Government Pleader



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## **ORDER**

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(Order of the Court was delivered by V.M.VELUMANI, J.)

The petitioner has come out with the present Writ Petition for a direction to the 2<sup>nd</sup> respondent to consider her representation dated 09.09.2022 and to issue Kondareddis Community Certificate to her daughter namely S.Shri Varsha and her son namely S.Kanishk Sashank.

2.Mr.A.Selvendran, learned Special Government Pleader takes notice for the respondents.

3.By consent of both the learned counsel appearing for the petitioner as well as the learned Special Government Pleader appearing for the respondents, this Writ Petition is taken up for final disposal at the admission stage itself.

4.Heard the learned counsel appearing for the petitioner as well as the learned Special Government Pleader appearing for the respondents and perused the entire materials on record.

5.The learned counsel appearing for the petitioner submitted that the



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petitioner belongs to Hindu 'Konda Reddy Community', which is classified as Schedule Tribe community. She obtained a community certificate showing that she belongs to 'Konda Reddy Community' from the Tahsildar, Mettur on 25.04.1987, who was the competent authority to issue the said certificate at that time. Now she submitted application to the 1<sup>st</sup> respondent on 09.09.2022 by Registered Post requesting the respondents to issue community certificate to her daughter viz., Shri Varsha and her son viz., S.Kanishk Sashank that they belong to Kondareddy Community enclosing the documents. According to learned counsel appearing for the petitioner, the 2<sup>nd</sup> respondent did not call for any enquiry and did not pass any order on the application given by the petitioner. In such circumstances, the petitioner has come out with the present Writ Petition.

5(i).The learned counsel appearing for the petitioner also submitted that earlier the Tahsildar was vested with the power to issue community certificate for Schedule Tribe. Now as per G.O.Ms.No.2137 dated 11.11.1989, the 2<sup>nd</sup> respondent – The Revenue Divisional Officer is the competent authority to issue community certificate.

6.Mr.A.Selvendran, learned Special Government Pleader appearing for the respondents produced a letter of the 1<sup>st</sup> respondent dated



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10.11.2016 addressed to the District Collector, Salem, bearing Na.Ka.1882/2012(T) and stated that the certificates issued to the petitioner R.Sudha and her sister Jayanthi that they belong to Kondareddy Schedule Tribe Community have become invalid in view of the Government Order and submitted that the petitioner and her children do not belong to Konda Reddy Community.

7.Considering the above submissions of the learned Special Government Pleader and the submission of the learned counsel appearing for the petitioner that the petitioner is having certificate issued by the Tahsildar, Mettur to show that she belongs to Kondareddy Community, the petitioner is directed to send a fresh application enclosing all the certificates within a period of three weeks from the date of receipt of a copy of this order to the respondents. On receipt of such application, the 2<sup>nd</sup> respondent is directed to consider the said application along with the earlier report by the 1<sup>st</sup> respondent addressed to the District Collector, Salem referred to above and documents filed by the petitioner on merits and in accordance with law within a period of eight weeks thereafter.

8.With the above directions, the Writ Petition is disposed of. No



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costs.

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(V.M.V., J) (R.H., J)  
08.12.2022

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Index : Yes / No  
Internet : Yes / No

To

- 1.The Sub-Collector,  
Office of the Sub-Collector,  
Mettur Dam,  
Mettur, Salem District.
- 2.The Revenue Divisional Officer,  
Mettur Taluk,  
Salem District.

**V.M.VELUMANI, J.**  
**and**  
**R.HEMALATHA, J.**



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