



W.P.No.32566 of 2022

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.32566 of 2022

L.Jagadeesan

...Petitioner

Vs.

The Sub-Collector,
Dharmapuri,
Dharmapuri District.

..Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of Writ of Certiorarified Mandamus, calling for the records relating to the order of rejection passed in proceedings in Pa.Mu.A4/7137/2021 dated 04.07.2021 on the file of the respondent, quash the same and direct the respondent to issue community certificate to the petitioner and his children viz. 1)J.Saranya, 2)J.Indumathi and 3)J.Sanjay that they belong to “Kurichchan (ST) community” based upon the community certificate already issued to petitioner's mother's own brother E.Sankaranarayanan which was verified by the State Level Scrutiny Committee in proceedings No.5364/CVIII/2011 dated 13.02.2015.



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For Petitioner : Mr.S.Doraiswamy
For Respondent : Ms.C.Sangamithirai
Special Government Pleader

ORDER

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

This Writ Petition has been filed against the order of the original authority, rejecting the request of the petitioner for issuance of community certificate.

2.Mr.S.Doraiswamy, learned counsel appearing for the petitioner would contend that despite the fact that the certificate of very close relatives of the petitioner having been verified by the State Level Scrutiny Committee and found to be genuine, the original authority has without applying its mind, rejected the request of the petitioner.

3.No doubt, the submission of the learned counsel is very attractive but, at the same time, we do not think we can entertain the Writ Petition, in view of the fact that the remedy by way of an appeal is available to the petitioner as per G.O.Ms.No.147.



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4.This Writ Petition is disposed of with liberty to the petitioner to approach the Collector by way of an appeal as per G.O.Ms.No.147. If such appeal is filed, the Collector will dispose of the same after taking the opinion of the Anthropologist within a period of six months from the date of filing of the appeal. No costs.

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

kkn

Internet: Yes/No

Index: Yes/No

Speaking/Non-speaking order

Note:- Registry is directed to return the original order to the counsel for the petitioner forthwith.

To:-

The Sub-Collector,
Dharmapuri,
Dharmapuri District.



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

KKN

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