



W.P.No.33908 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 19.12.2022

Coram:

**The Hon'ble Mr.Justice R.MAHADEVAN
and
The Hon'ble Mr.Justice J.SATHYA NARAYANA PRASAD**

**W.P.No.33908 of 2022
and W.M.P.No.33402 of 2022**

K.A.Prabakaran

...Petitioner

Versus

- 1.The Zonal Deputy Tahsildar,
Mettur Taluk,
Salem District.
- 2.The Revenue Inspector,
Kolathur Village,
Kolathur, Mettur Taluk,
Salem District.
- 3.The Village Administrative Officer,
Kolathur Village,
Mettur Taluk,
Salem District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India
praying for issuance of a writ of certiorarified mandamus calling for the



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records relating to the order of online rejection of the application in Application Number TN-5202212031793 dated 03.12.2022, quash the same and direct the respondents to issue community certificate to the petitioner's son namely Minor J.P.Harshan that he belongs to Kaikollar BC Community based upon the community certificate already issued to the petitioner and his elder son namely Minor J.P.Mithran.

For Petitioner : Mr.S.Doraisamy
For Respondents : Mr.E.Vijay Anand,
Additional Government Pleader

ORDER

*(Order of the Court was delivered by **R.MAHADEVAN, J.**)*

Mr.E.Vijay Anand, learned Additional Government Pleader takes notice for the respondents. With the consent of both sides, this writ petition is taken up for final disposal.

2. The relief sought in this writ petition is to call for the records relating to the order of rejection of the online application bearing no. TN-5202212031793 dated 03.12.2022, quash the same and consequently,



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direct the respondents to issue community certificate to the petitioner's son viz., Minor J.P.Harshan that he belongs to Kaikolar BC Community based upon the community certificate already issued to the petitioner and his elder son viz., Minor J.P.Mithran.

3. According to the petitioner, he belongs to Kaikolar Backward Class Community. He has two children viz., J.P.Mithran (aged 6 years) and J.P.Harshan (aged 3 years). Already, the first respondent has issued community certificate to the petitioner's elder son Mithran certifying that he belongs to Kaikolar BC Community vide Certificate No.C8C8696E6A687D86 dated 01.06.2017. While so, the petitioner submitted an online application dated 03.12.2022, before the first respondent for issuance of community certificate to his younger son Harshan. However, the said application was rejected for the reason that he has not produced any residential proof. Aggrieved over the same, the petitioner has come up with the present writ petition.



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4. The learned counsel for the petitioner submitted that though the petitioner has submitted the online application seeking community certificate to his younger son, along with all necessary documents, the respondents have rejected the said application, without conducting any enquiry by the order impugned herein, which is arbitrary, illegal and in violation of the principles of natural justice. Therefore, the learned counsel sought for appropriate direction to the respondents to issue community certificate to the petitioner's younger son certifying that he belongs to Kaikolar Backward Class Community.

5. On the other hand, the learned Additional Government Pleader appearing for the respondents fairly submitted that the respondent authorities would re-consider the petitioner's application for issuance of community certificate to his younger son Harshan and pass appropriate orders, on merits, within a time frame as stipulated by this Court.

6. Considering the fact that the petitioner's elder son has already got community certificate to the effect that he belongs to Kaikolar BC



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community and the petitioner sought community certificate to his younger son and also taking note of the submissions made by the learned counsel on either side, this Court is inclined to quash the order impugned and the same is accordingly, quashed. Consequently, the respondents are directed to consider the petitioner's online application dated 03.12.2022 afresh and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

7. This Writ Petition is disposed of in the above terms. No costs. Consequently, connected miscellaneous petition is closed.

(R.M.D., J.) (J.S.N.P., J.)
19.12.2022

mrr

Index : Yes/No

Speaking order (or) Non-Speaking order



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R.MAHADEVAN, J.
and
J.SATHYA NARAYANA PRASAD, J.

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To

- 1.The Zonal Deputy Tahsildar,
Mettur Taluk,
Salem District.
- 2.The Revenue Inspector,
Kolathur Village,
Kolathur, Mettur Taluk,
Salem District.
- 3.The Village Administrative Officer,
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