



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.05.2022

CORAM :

**THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE
AND
THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

W.P(MD)No.10060 of 2022

Kumar

...Petitioner

Vs.

1.The District Collector,
Tirunelveli District,
Tirunelveli - 627 359.

2.The Tahsildar,
Tirunelveli Taluk,
Tirunelveli District,
Tirunelveli - 627 359.

3.The Village Administrative Officer,
Kattampuli Village, Tirunelveli Taluk,
Tirunelveli District - 627 359.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to consider the petitioner's representation, dated 22.04.2022 and to enter his caste name as "Devendra Kula Velalar" instead of "Hindu Pallan" in the Scheduled Caste Community Certificate bearing No. 2945660 issued by the 2nd respondent Office on 30.09.2005 within a stipulated time that may be fixed by this Court as per the G.O.(Ms) No.50, dated 01.06.2021, issued by the Adi Dravidar and Tribal Welfare (CV-1) Department.

For Petitioner : Mr.A.Sahaya Philomin Raj

For Respondents : Mr.A.Kannan

Additional Government Pleader

O R D E R

(Order of the Court was made by S.SRIMATHY, J.)

This Writ Petition is filed for issuance of a Writ of Mandamus, to direct the respondents to consider the petitioner's representation, dated 22.04.2022 and to enter his caste name as "Devendra Kula Velalar" instead of "Hindu Pallan" in the Scheduled



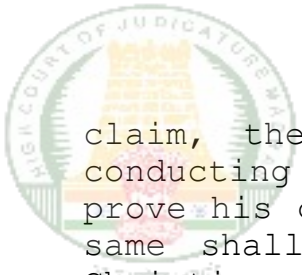
Caste Community Certificate bearing No. 2945660 issued by the 2nd respondent Office on 30.09.2005 within a stipulated time that may be fixed by this Court as per the G.O.Ms. No.50, dated 01.06.2021, issued by the Adi Dravidar and Tribal Welfare (CV-1) Department.

2.The brief facts of the case are that the petitioner belongs to Pallan community which falls under Scheduled Caste and the petitioner is holding a community certificate to that effect. The said community certificate was issued after due verification on 30.09.2005. The Government of Tamil Nadu had issued notification for Group II exams in the month of February, 2022 and Group IV exams in the month of March, 2022. The petitioner applied through online on 28.02.2022 and requested to enter the petitioner's caste name as Devendrakula Velalar instead of Pallan. The petitioner applied for second time on 14.03.2022 and subsequently, third time on 06.04.2022, followed by representation, dated 22.04.2022, requesting to change the caste name as "Devendrakula Velalar" instead of "Hindu Pallan". The third respondent refused orally to endorse the fact that the petitioner belongs to Devendrakula Velalar community. The last date for applying to the Group IV exam is 28.04.2022. Since the respondents have not issued the rectified certificate and the petitioner is in urgent need of the certificate to apply to the said post, the petitioner has filed this Writ Petition.

3.When the Writ Petition came up for admission, the learned Additional Government Pleader appearing for the respondents based on the written instructions submitted that the petitioner has applied for change of caste name. Based on the application, an enquiry was conducted by the Village Administrative Officer and the Revenue Authorities. It was found that the petitioner is following Christian religion and also seen that the petitioner's wife's name is Antony Ammal and she is also professing Christian religion. However, the petitioner was directed to submit that he has not obtained any Baptism from any Christian Church. If the petitioner is submitting such certificate, then the petitioner's request to change the caste name will be considered. Since the Village Administrative Officer has submitted a report stating that the petitioner is following Christian religion, the petitioner's application was rejected and hence, the petitioner is not entitled to the said certificate.

4. The learned Counsel appearing for the petitioner submitted that the petitioner was not granted any opportunity before conducting the enquiry and the respondents cannot reject the petitioner's claim without granting opportunity and there is violation of principles of natural justice.

5.Hence, this Court is of the considered opinion that since the petitioner was not granted any opportunity to substantiate his



claim, the respondents are directed to grant an opportunity by conducting personal hearing. The petitioner shall submit evidence to prove his case. If the petitioner is having Baptist certificate the same shall be produced. If the petitioner is not following the Christian religion then the petitioner shall submit sworn affidavit. Therefore, the case is remitted back to the authorities for reconsideration. The respondents shall conduct enquiry after affording opportunity of personal hearing and consider the claim of the petitioner within a period of eight weeks from the date of receipt of the copy of the order.

6. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Tmg

To

1. The District Collector,
Tirunelveli District,
Tirunelveli - 627 359.

2. The Tahsildar,
Tirunelveli Taluk,
Tirunelveli District,
Tirunelveli - 627 359.

3. The Village Administrative Officer,
Kattampuli Village, Tirunelveli Taluk,
Tirunelveli District - 627 359.

+1 CC to M/s.R.KARUNANIDHI, Advocate (SR-23845[F] dated 19/05/2022)

+1 CC to M/s.SPL.GP (SR-23865[F] dated 20/05/2022)

ORDER MADE IN

W. P (MD) No. 10060 of 2022

18.05.2022

SS/27.05.2022 : 3P/6C