



W.P.(MD)No.15012 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.07.2022

CORAM:

THE HONOURABLE **MR.JUSTICE S.S.SUNDAR**
and
THE HONOURABLE **MRS.JUSTICE S.SRIMATHY**

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K.Murugan

... Petitioner

Vs.

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Revenue Divisional Officer,
Aruppukottai,
Virudhunagar District.

3.The Tahsildar,
Tiruchuli Taluk,
Virudhunagar District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to consider the petitioner's representation dated 15.07.2020 and to issue Hindu ST-Kattunaiyakkan Community Certificate to the petitioner's children namely Subashini, Subitha and Sujin, on surrendering the MBC-Thottianayakkar Community Certificate Nos.4930100 and 6B6D6F8C6A687C86 issued to Subashini and Subitha within a stipulated time that may be fixed by this Hon'ble



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For Petitioner

: Mr.P.Saravanakumar

For Respondents

: Mr.S.P.Maharajan

Special Government Pleader

ORDER

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

This Writ Petition is filed for issuance of a Writ of Mandamus, directing the 2nd respondent to consider the petitioner's representation dated 15.07.2020, and to issue Hindu ST - "Kattunaiyakkan" Community Certificate to the petitioner's children namely Subashini, Subitha and Sujin, on surrendering the MBC - "Thottiyayanayakkar" Community Certificate Nos.4930100 and 6B6D6F8C6A687C86 issued to Subashini and Subitha within a time frame.

2. Heard Mr.P.Saravanakumar, learned counsel for the petitioner and Mr.S.P.Maharajan, learned Special Government Pleader for the respondents. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.



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3. In the representation dated 15.07.2020, the petitioner has requested the District Revenue Officer – second respondent to issue Community Certificate to the petitioner's children as they belong to “Kattunayakkan” Community. It is also stated by the petitioner in the affidavit filed in support of the writ petition that one of his children has obtained certificate as he belongs to “Kattunayakkan” Community. The petitioner also admitted that two of his children were given Community Certificates showing their community as Hindu “Thottiyayanayakkar”. However, it is stated that the community status of his blood relatives shows that the petitioner and his family members belong to “Kattunayakkan” Community.

4. Learned Special Government Pleader appearing for the respondents fairly submitted that the petitioner's representation is yet to be disposed of on merits and it is in process.

5. In such circumstances, this Court, without expressing any opinion on the merits of the petitioner's claim either in the representation or in the affidavit filed in support of the petition, directs the second respondent to consider the



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representation of the petitioner and pass orders on merits and in accordance with law after following due process and after considering the materials produced by the petitioner. The entire exercise shall be completed by the second respondent within a period of twelve weeks from the date of receipt of a copy of this order.

6. The Writ Petition is disposed of with the above directions. No costs.

[S.S.S.R., J.] [S.S.Y., J.]
12.07.2022

Index : Yes / No

sj

To

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S.S.SUNDAR, J.

and

S.SRIMATHY, J.

sj

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