



W.P.(MD) No.22920 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

AND

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD)No.22920 of 2022

M.Lakshmanan

... Petitioner

-Vs-

1.The District Collector,
Madurai District, Madurai.

2.The Revenue Divisional Officer,
Tirumangalam,
Madurai District.

3.The Tahsildar,
Tirumangalam,
Madurai District.

... Respondents



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PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to dispose of the petitioner's appeal dated 01.01.2022 for issuance of the “Hindu Malaivedan” community certificate to the petitioner.

For Petitioner : Mr.H.Velavadhas

For Respondents : Mr.S.P.Maharajan

Special Government Pleader

ORDER

[Order of the Court was made by R.MAHADEVAN, J.]

This Writ Petition has been filed seeking for a direction to the 1st respondent to dispose of the petitioner's appeal, dated 01.01.2022 for issuing “Hindu Malaivedan” Community Certificate to the petitioner.

2.Mr.S.P.Maharajan, learned Special Government Pleader takes notice for the respondents.

3.By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.



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4.The case of the petitioner is that he belongs to Malaivedan Community. He applied for issuing the Malaivedan Community Certificate vide Application No.TN-5202/11171152. On 31.03.1979, the District Harijan Welfare Officer issued a circular to issue Community Certificate to the members of the Malaivedan Community as and when they seek for Community Certificate, after verification. Further, the Chief Secretary of the Government of Tamil Nadu also addressed letters dated 31.03.2015 to the District Collectors of Madurai, Dindigul and Theni to issue Community Certificate to the Malaivedan Community people. However, without considering the same, the 2nd respondent rejected the application of the petitioner on 17.11.2021. Challenging the same, the petitioner filed an appeal before the 1st respondent on 01.01.2022, in which, the 1st respondent directed the 3rd respondent to conduct an enquiry and to submit a report to the 2nd respondent. Thereafter, no order was passed in the appeal filed by the petitioner. Hence, this Writ Petition.

5.Heard the learned counsel for the petitioner and the learned Special Government Pleader for the respondents.



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6.The learned Special Government Pleader for the respondents would submit that the appeal filed by the petitioner dated 01.01.2022 will be disposed of within a time frame to be fixed by this Court.

7.Recording the abovesaid submission, without going into the merits of the claim made by the petitioner, we direct the 1st respondent to dispose the appeal dated 01.01.2022 filed by the petitioner, for issuance of Malaivedan Community Certificate on merits and in accordance with law, after giving opportunity of hearing to all the parties concerned, within a period of three (3) months from the date of receipt of a copy of this order.

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

[R.M.D., J.] & [J.S.N.P., J.]

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Index : Yes / No

Internet : Yes / No

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