



W.P.No.606 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2023

CORAM

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

and

THE HONOURABLE MRS.JUSTICE R.HEMALATHA

W.P.No.606 of 2023

S. Gopal

...Petitioner

Vs.

1. The District Collector,
Salem District, Salem.

2. The Revenue Divisional Officer,
Sankagiri, Salem District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus or any other appropriate writ or direction in the nature of writ or order by directing the District Collector, Salem, viz., 1st respondent to issue community certificate to the petitioner to the petitioner's children S.G. Kumaran and G. Dhaush to the effect that they belong to the Schedule Tribe Community of Hindu Kondareddis, pursuant to the directions of this Hon'ble Court in W.P. No. 17926 of 2013 dated 07.01.2014 and subsequent orders passed in W.P. No.24398/2019 dated 09.12.2019.



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For Petitioner : Mr. Vijayshankar
For Respondents : Mr.E. Vijay Anand
Additional Government Pleader

ORDER

(Order of the Court was delivered by V.M.VELUMANI, J.)

The petitioner has come out with the present Writ Petition for issuance of Hindu Konda Reddi Schedule Tribe Community Certificate to himself and to his children S.G. Kumaran and G. Dhaush pursuant to the directions of this Hon'ble Court in W.P. No. 17926 of 2013 dated 07.01.2014 and subsequent orders passed in W.P. No.24398/2019 dated 09.12.2019.

2. By consent of both the learned counsel appearing for the petitioner as well as Mr.E. Vijay Anand, learned Additional Government Pleader, who takes notice for the respondents, this Writ Petition is taken up for final disposal at the admission stage itself.



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3. Heard the learned counsel appearing for the petitioner as well as the learned Additional Government Pleader appearing for the respondents 1 & 2 and perused the entire materials on record.

4. Learned counsel appearing for the petitioner submitted that the petitioner belongs to Hindu Konda Reddi (Scheduled Tribe) Community. His close relatives like his father's sister and father's cousins were issued with Hindu Konda Reddi (Scheduled Tribe) Community certificate. The petitioner made an application to the 2nd respondent on 06.07.2012 for issuance of Konda Reddi (Scheduled Tribe) Community certificate for himself and his children. The said request was rejected by the 2nd respondent on 07.03.2013. Aggrieved over the said order of the 2nd respondent, the petitioner filed W.P. No.17926 of 2013 before this Court. This Court, by order dated 07.01.2014, disposed of the said Writ Petition by setting aside the order of the 2nd respondent dated 07.03.2013 and remitting the matter back to the 2nd respondent for fresh consideration taking into account the documents filed and to be filed by the petitioner. The 2nd respondent, after remand, by the order dated 30.01.2015 rejected the application of the



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petitioner. Challenging the said order passed by the 2nd respondent, the petitioner filed W.P. No.24398/2019 before this Court. The Division Bench of this Court, by order dated 09.12.2019, directed the petitioner to file an appeal before the 1st respondent and on such appeal being filed, the 1st respondent was directed to consider and dispose of the appeal within a period of eight (8) weeks thereafter. Learned counsel appearing for the petitioner submitted that the petitioner has filed an appeal before the 1st respondent on 21.01.2020. Since no order has been passed by the 1st respondent, the petitioner has come out with the present Writ Petition.

5. Even though the petitioner is seeking for a larger relief, it is suffice to direct the 1st respondent to dispose of the appeal filed by the petitioner taking into consideration that the said appeal is pending from 21.01.2020, after affording opportunity to the petitioner, and pass orders on merits and in accordance with law within a period of eight (8) weeks from the date of receipt of a copy of this order.



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

(V.M.V.,J.)

(R.H.,J.)

10.01.2023

Index: Yes/No

Internet: Yes/No

Speaking/Non-Speaking order

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To

1. The District Collector,
Salem District, Salem.
2. The Revenue Divisional Officer,
Sankagiri, Salem District.



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V.M.VELUMANI, J.
and
R. HEMALATHA, J.
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