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W.P.Nos.851 and 854 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2023

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI
and
THE HONOURABLE MRS.JUSTICE R.HEMALATHA

W.P.Nos.851 and 854 of 2023

M.Muniraj .. Petitioner (in W.P.No.851/2023)

E.Malarkodi .. Petitioner (in W.P.No.854/2023)

Vs.

1.The Collector,
Dharmapuri,
Dharmapuri District.

2.The Revenue Divisional Officer,
Dharmapuri,
Dharmapuri District.

.. Respondents (both WPs)

Prayer in W.P.No.851 of 2023: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the 1st respondent to dispose the appeal of the petitioner dated 12.12.2022 with assistance of Anthropologist filed against online rejection of the 2nd respondent requesting for issuance of community certificate to the petitioner and his children M.Navyashree, M.Seemashree and M.Praneshraj that they belong to Kurichchan (ST) Community.

Prayer in W.P.No.854 of 2023: Writ Petition is filed under Article 226 of



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the Constitution of India, praying for issuance of a Writ of Mandamus, directing the 1st respondent to dispose the appeal of the petitioner dated 12.12.2022 with assistance of Anthropologist filed against online rejection of the 2nd respondent requesting for issuance of community certificate to the petitioner and her sister M.Poovazhagi and her children M.Govindaraj, M.Deepa and Gopinath and grand Children G.Deepika, H.Manikandan, G.Sai Dharshini that they belong to Kurichchan (ST) Community.

For Petitioners : Mr.S.Doraisamy
(in both WPs)

For Respondents : Ms.R.L.Karthika
Government Advocate
(in both WPs)

COMMON ORDER

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

Writ Petition in W.P.No.851 of 2023 is filed for a direction to the 1st respondent to dispose the appeal of the petitioner dated 12.12.2022 with assistance of Anthropologist filed against online rejection of the 2nd respondent requesting for issuance of community certificate to the petitioner and his children M.Navyashree, M.Seemashree and M.Praneshraj that they belong to Kurichchan (ST) Community.



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2. Writ Petition in W.P.No.854 of 2023 is filed for a direction to the 1st respondent to dispose the appeal of the petitioner dated 12.12.2022 with assistance of Anthropologist filed against online rejection of the 2nd respondent requesting for issuance of community certificate to the petitioner and her sister M.Poovazhagi and her children M.Govindaraj, M.Deepa and Gopinath and grand Children G.Deepika, H.Manikandan,G.Sai Dharshini that they belong to Kurichchan (ST) Community.

3. By consent of both the learned counsel appearing for the petitioners and Ms.R.L.Karthika, learned Government Advocate, who takes notice for the respondents, these Writ Petitions are taken up for final disposal at the admission stage itself.

4. Heard the learned counsel appearing for the petitioners as well as the learned Government Advocate appearing for the respondents and perused the entire materials on record.



5. According to the petitioners, they are belonging to Kurichchan Community, which is a Scheduled Tribe Community. They are doing agricultural work and cattle grazing, therefore, they did not obtain any community certificate for them. In order to get concession granted by the Government to the Tribes and also future education of their family members, they made an application dated 10.10.2022 to the 2nd respondent requesting to issue community certificate to them and their family members. However, the 2nd respondent without conducting any enquiry rejected their application through online on 04.11.2022. As against the order of rejection, the petitioners have filed appeal to the 1st respondent. Since no order has been passed by the 1st respondent, the petitioners have come out with the present writ petition for the above stated relief.

6. The learned Government Advocate appearing for the respondents submitted that the appeal filed by the petitioners dated 12.12.2022 will be considered by the 1st respondent and necessary orders will be passed in accordance with law within the time limit fixed by this Court.



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7. Considering the above submissions of the learned counsel appearing for the petitioners as well as the learned Government Advocate appearing for the respondents, the 1st respondent is directed to dispose of the appeal filed by the petitioners dated 12.12.2022 within a period of eight weeks from the date of receipt of a copy of this order.

8. With the above direction, the Writ Petitions are disposed of. No costs.

(V.M.V., J) (R.H., J)
12.01.2023

Index : Yes / No
Neutral Citation : Yes / No
dm

To

1.The Collector,
Dharmapuri,
Dharmapuri District.

2.The Revenue Divisional Officer,
Dharmapuri,
Dharmapuri District.



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