



W.P.No.8368 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.01.2023

CORAM:

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

W.P.No.8368 of 2018
and
W.M.P.No.10348 of 2018

V.Babu

.. Petitioner

Vs.

- 1.The State of Tamil Nadu
Rep. by its Secretary
Adi Dravidar & Tribal Welfare Department
Fort St. George, Secretariat
Chennai 600 009.
- 2.The Director
Adi Dravidar & Tribal Welfare Department
Government of Tamil Nadu
Ezhilagam, Chepauk
Chennai 600 005.
- 3.The Chief Mechanical Engineer
Chennai Port Trust
Rajaji Salai
Chennai 600 001.
- 4.The Deputy Superintendent of Police
Social Justice and Human Rights Commission
SC/ST Vigilance Cell
Office of the Dy Superintendent of Police



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Kancheepuram District.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari, calling for the records relating to the proceedings dated 16.08.2017 bearing Ref No.14059/CV-4(1)/2017-1 of the 1st Respondent herein and quash the same.

For Petitioner : Mr.A.R.Karthik Lakshmanan
for Ms.AL.Ganthimathi

For R1 and R2 : Mr.P.Gurunathan
Additional Government Pleader

For R3 : Mr.R.Karthikeyan

ORDER

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

The present Writ Petition is filed challenging the proceedings dated 16.08.2017 bearing Ref No.14059/CV-4(1)/2017-1 of the 1st respondent.

2. Heard Mr.A.R.Karthik Lakshmanan, learned counsel appearing for the petitioner, Mr.P.Gurunathan, learned Additional Government Pleader appearing for the respondents 1 and 2 as well as Mr.R.Karthikeyan, learned counsel appearing for the 3rd respondent and perused the entire materials on record.

3. According to the petitioner, he belongs to Hindu Konda Reddy



Community and he has been issued with a permanent Community Certificate by the Sub Collector, Kancheepuram on 28.12.1988 and another certificate issued by the Revenue Divisional Officer, Kancheepuram dated 14.12.1989. He joined as Technician Grade III (Electrical) in Chennai Port Trust on 18.07.1989. Whiles, the 1st respondent by the impugned letter dated 16.08.2017 requested the respondents 2 and 3 to conduct Vigilance Cell Enquiry on the Hindu Konda Reddy Scheduled Tribe Community certificate issued by the Revenue Divisional Officer, Kancheepuram dated 14.12.1989 to the petitioner and to verify the genuineness of certificate by making an open enquiry in the presence of petitioner and directed the Vigilance Cell to send a detailed report to the 1st respondent within 15 days.

4. The learned counsel appearing for the petitioner submitted that as per the order of this Court, the petitioner's brother and his maternal uncle were issued Hindu Konda Reddy Community certificate and the said certificates are still in force. Whiles, the 4th respondent called the petitioner for enquiry on 05.02.2018. The petitioner submitted a representation dated 19.02.2018 to the 4th respondent. Till date of the filing of the writ petition, the petitioner has not received any response



from the 4th respondent. In such circumstances, the petitioner has come out with the present writ petition.

5. From the above materials it is seen that the petitioner is claiming that the present enquiry is unnecessary in view of the Hindu Konda Reddy ST Community certificate issued to his brother and his maternal uncle. The 1st respondent requested the 4th respondent to conduct open enquiry in the presence of the petitioner. The petitioner also sent a representation dated 19.02.2018, but he did not appear for enquiry. This Court by the order dated 10.04.2018 directed the Government Advocate to instruct the respondents not to proceed further in respect of the impugned order passed by the 1st respondent.

6. Considering the above material, the petitioner is directed to appear before the 4th respondent for enquiry and produce all the documents to the 4th respondent as directed by the 1st respondent for conducting enquiry by the 4th respondent. The 4th respondent is directed to conduct enquiry as per the impugned letter of first respondent by fixing a date for enquiry and communicate the same to the petitioner.

7. The petitioner is not entitled for the relief now sought for in the



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writ petition. Hence, the Writ Petition is dismissed. No costs.

Consequently, the connected miscellaneous petition is closed.

(V.M.V., J) (R.H., J)
25.01.2023

Index : Yes / No

Neutral Citation : Yes / No

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To

1.The Secretary
State of Tamil Nadu
Adi Dravidar & Tribal Welfare Department
Fort St. George, Secretariat
Chennai 600 009.

2.The Director
Adi Dravidar & Tribal Welfare Department
Government of Tamil Nadu
Ezhilagam, Chepauk
Chennai 600 005.

3.The Chief Mechanical Engineer
Chennai Port Trust
Rajaji Salai
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4.The Deputy Superintendent of Police
Social Justice and Human Rights Commission
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