



W.P.No.4783 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.09.2023

CORAM :

THE HONOURABLE MRS.JUSTICE J. NISHA BANU
AND
THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

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G.Balaji

.. Petitioner

VS

1.The State Level Scrutiny Committee-III
Represented by its Chairman,
State Level Scrutiny Committee-III,
And the Additional Secretary to Government,
Adi Dravidar and Tribal Welfare Department,
Secretariat, Chennai-600 009.

2.The District Collector
Thiruvallur District,
Thiruvallur-631 207.

3.The Revenue Divisional Officer
Tiruttani Revenue Division,
Tiruttani, Thiruvallur District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records of the (i) Proceedings of the 3rd respondent in his proceedings in Na.Ka.No.754/2019/A4, dated 20.09.2019 in so far as the rejection of the



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petitioner's claim alone, (ii) Proceedings of the 2nd respondent in his proceedings in Na.Ka.No.J.3/27352/2020 dated 19.08.2020 and (iii) Proceedings of the 1st respondent in his proceedings in Proceedings No.11376/CV-4(1)/2020-6 dated 01.06.2022 and quash the same and consequently, direct the 3rd respondent to issue community certificate to the Petitioner by mentioning “Konda Reddis” community which is coming under the Schedule Tribe Caste list.

For Petitioner : Mr.L.G.Sahadevan

For Respondents : Mr.P.Gurunathan
Additional Government Pleader

ORDER

(Order of the Court was made by V.LAKSHMINARAYANAN,J.)

The petitioner claims to belong the Konda Reddi Community, which is a Scheduled Tribe Community under the Constitution of India. The petitioner completed his education and attempted to get employment in the Government. Since the Community Certificate is essential for such employment, he applied to the second respondent on 02.05.2018. The said representation was not considered. Therefore, WP.No.292 of 2019 was filed to consider the representation.

2.By an order dated 08.01.2019, this Court directed the second respondent to dispose of the representation. Pursuant thereto, his



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application for grant of Community Certificate was rejected. Challenging the rejection order, he filed WP.No.21661 of 2019 to quash the proceedings of Revenue Divisional Officer, Tirutani dated 24.05.2019.

3.By an order dated 05.08.2019 the said writ petition was allowed and remanded the matter to the 3rd respondent for fresh disposal. Yet again, the said representation was rejected, in and by way of impugned proceedings dated 20.09.2019. He challenged the same by way of a writ petition in WP.No.29775 of 2019.

4.By an order dated 18.10.2019, this Court had directed the petitioner to file an appeal as it was an appealable order.

5.The petitioner filed an appeal before the second respondent on 30.11.2019, who rejected the same by his impugned proceedings dated 19.08.2020 holding that the petitioner does not belong to Konda Reddi community. According to the petitioner, he preferred an appeal to the State Level Scrutiny Committee which also rejected the same, despite his specific ground that no spot inspection had been done.

6.The petitioner points out that his father Late Govinda Raja Reddy had secured a certificate from the Tahsildar on 11.07.1980. The said order has been enclosed at page No.54 of the typed set of papers. A perusal of the same shows that Govinda Raja Reddy who was the son of



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Gopal Reddy was granted a Konda Reddi Certificate by the Tiruttani Tahsildar on 11.07.1980.

7. When enquired with the learned Additional Government Pleader, whether the said certificate has been cancelled, the learned Additional Government Pleader submitted, on instructions, that the said certificate is not cancelled and it continues to be in force. Therefore, a close relative of the petitioner having been given a valid certificate prior to the cut off date on 11.11.1989, the petitioner will be entitled to the benefit of the judgment of the Supreme Court in the case of **Kandasamy v. Chief Engineer, Madras Port Trust** reported in **1997 (7) SCC 505**.

8. Consequently, the impugned proceedings are set aside. There shall be a direction to the second respondent to issue a Community Certificate to the petitioner stating he belongs to the Konda Reddi Community. We are passing this order on the basis of the certificate issued by the Tahsildar to his father on 11.07.1980. In case, there is any verification of the certificate and it is found to be false, automatically this certificate also will stand cancelled. The respondents are directed to issue community certificate within a period of two (2) weeks from today.

9. With the above directions, this writ petition is disposed of. No costs.



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10.Post the matter on 19.09.2023 under the caption 'for reporting

compliance'.

(J.N.B,J.)

(V.L.N,J.)

04.09.2023

Index:Yes/No

Speaking order/Non-speaking order

Neutral Citation:Yes/No

vs

To

1.The State Level Scrutiny Committee-III

Represented by its Chairman,

State Level Scrutiny Committee-III,

And the Additional Secretary to Government,

Adi Dravidar and Tribal Welfare Department,

Secretariat, Chennai-600 009.

2.The District Collector

Thiruvallur District,

Thiruvallur-631 207.

3.The Revenue Divisional Officer

Tiruttani Revenue Division,

Tiruttani, Thiruvallur District.



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