



W.P.No.5601 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.06.2023

CORAM

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
AND
THE HONOURABLE MR.JUSTICE P. DHANABAL**

W.P.No.5601 of 2020

Rajkumar

..Petitioner

Vs

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

2.The Tahsildar,
Palacode,
Dharmapuri.

..Respondents

Prayer: Writ Petitions are filed under Article 226 of Constitution of India to issue a writ of Mandamus, directing the 1st respondent to issue Kurumans S.T Community Certificate to the petitioner and his Children based on the cultural report in Na. Ka. No. Pa. Ma. Aa 2/ 1037/ 2014 dated 18.2.2015.

For Petitioner : Mr. M.Ravi

For Respondents : Mr.E.Vijay Anand, AGP



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ORDER

(Order of the Court was made by D.KRISHNAKUMAR, J.)

The prayer sought for in the writ petition is to direct the 1st respondent to issue Kurumans S.T Community Certificate to the petitioner and his Children based on the cultural report in Na. Ka. No. Pa. Ma. Aa 2/ 1037/ 2014 dated 18.2.2015.

2. The learned counsel for the petitioner has submitted that the petitioner has submitted his application on 21.05.2018 to the 1st respondent to issue community certificate to him under Kurumans S.T. Community. The said application is still pending on the file of the respondents, hence the petitioner has filed the present writ petition in the year 2020.

3. The learned Additional Government Pleader has filed written instructions dated 19.06.2023 received from the 1st respondent, wherein it is stated that based on the request made by the petitioner, the respondent had served notice to the petitioner and the Village Administrative Officer to



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appear for an enquiry, but the petitioner did not appear for enquiry due to his personal reasons, therefore, the respondent, based on the statement given by the Village Administrative Officer and the documents filed by the petitioner, has given a report that the petitioner and his family members are belongs to Hindu Scheduled Tribe Community.

4. Heard both sides and perused the documents available on record.

5. Admittedly, the petitioner's application is still pending before the authorities concerned. When the matter came up before this Court on 13.06.2023, the learned Additional Government Pleader has reported before this Court that based on the report submitted by the Revenue Inspector as well as Tahsildar, the petitioner's application has been processed by the respondents, therefore sought for time to issue community certificate to the petitioner.

6. In spite of the said statement made by the learned Additional Government Pleader, the respondents-Officials have taken no action on the



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petitioner's representation, which has been pending for over five years. Both this Court and the Hon'ble Supreme Court have consistently issued specific directions to the Revenue officials to promptly dispose of applications seeking community certificates.

7. Considering the fact that the petitioner's application has been kept pending by the respondents for such a prolonged period of five years, We are inclined to issue directions to the District Collector, Dharmapuri.

8. Accordingly, the District Collector, Dharmapuri is directed to conduct an enquiry based on the report submitted by the Revenue Divisional Officer, Dharmapuri before this Court and pass appropriate orders, directing the authorities concerned to issue Community Certificate to the petitioner, if he is otherwise eligible. The entire exercise shall be completed within a period of twelve weeks from the receipt of a copy of this order.

9. It is needless to say that the Revenue officials, must adhere to the directions issued by this Court and the Hon'ble Supreme Court regarding the



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prompt disposal of representations requesting Community Certificates.

Failure to comply will result in appropriate legal actions against the responsible officials.

10. With the above directions, the writ petition is disposed of. The 2nd respondent is directed to remit a sum of Rs.10,000/- (Rupees Ten Thousand Only) as costs, to the credit of the Adi Dravidar and Tribal Welfare Department (Hostels), Dharmapuri District.

(D.K.K., J.) (P.D.B., J.)

20.06.2023

Index: Yes / No

Internet: Yes

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To

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Dharmapuri,
Dharmapuri District.

2. The Tahsildar,
Palacode,
Dharmapuri.



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