



W.P.No.5749 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

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J.Bakayaraj ... Petitioner

versus

The Reveunue Divisional Officer
Harur,
Dharmapuri District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a writ of Mandamus directing the respondent to issue Kurumans S.T. Community certificate to the petitioner, based on the representation dated 12.11.2019.

For Petitioner : Mr.Ravi

For Respondent : Mr.E.Vijay Anand

Additional Government Pleader

ORDER

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

This writ petition has been filed for a Mandamus directing the respondent to issue Kurumans S.T. Community certificate to the petitioner, based on the representation dated 12.11.2019.



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2. According to the petitioner, he has applied for community certificate under the category of Kurumans community on 12.11.2019 to the respondent for the purpose of employment. The said application is still pending and no orders have been passed by the respondent. Hence, the petitioner has filed the present writ petition before this Court.

3. When the matter was listed before this Court for hearing on 13.06.2023, on instructions, learned Government Pleader has informed the Court that the said application submitted by the petitioner will be considered by the authority concerned and appropriate decision will be taken by them.

4. In spite of the said statement made by the learned Government Pleader, no action has been taken by the respondent on the petitioner's representation so far, which has been pending for over three and half years. In the issue of community certificate, 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. As such, the application of the



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petitioner ought to have been considered by the respondent by conducting a detailed enquiry and final orders ought to have been passed immediately without any further delay, whereas in the present case, the respondent has not chosen to consider the application of the petitioner for the past 3 and half years. The Government also have given specific directions to all Revenue officials to dispose of this kind of applications immediately without any delay, for the purpose of employment and admission to higher studies. Despite such directions, these applications are pending and kept in cold storage by the revenue officials. We are of the view that there is lack of interest in taking up these matters and to pass appropriate orders. Further, the respondent has not chosen to file counter-affidavit in this matter.

5. Considering the fact that the petitioner's application has been kept pending by the respondent for such a prolonged period of three and half years and further the respondent has not chosen to file counter-affidavit so far in the matter, we are inclined to impose cost of Rs.10,000/- on the respondent. The District Collector, Dharmapuri, shall conduct an enquiry and recover the said amount from the concerned officers.

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and
P. DHANABAL, J.
(mrn)

6. Considering the submission of the learned Additional Government Pleader, we direct the respondent to consider the petitioner's application dated 12.11.2019, and pass orders on merits and in accordance with law, as early as possible, within a period of six weeks from the date of receipt of a copy of this order, after providing opportunity to the petitioner.

7. With the above directions, the writ petition is disposed of by imposing a cost of Rs.10,000/- (Rupees Ten Thousand Only), to be paid by the respondent 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
Neutral Citation : Yes/No
mrn
To
The Reveunue Divisional Officer
Harur,
Dharmapuri District.

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