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W.P.No.7592 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.03.2023

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

and

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.No.7592 of 2023

K.Periyasamy

.. Petitioner

Vs.

1.The Tamil Nadu State Level Scrutiny Committee,
Adi Dravidar and Tribal Welfare Department,
Namakkal Kavingar Maligai,
Secretariat,
Chennai – 600 009,
rep. by its Chairman.

2.The Director,
Tribal Welfare Department,
Chepauk,
Chennai – 600 005.

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

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the 1st respondent State Level Scrutiny Committee to complete the enquiry and forward the report to the 3rd respondent regarding genuineness of social status of the petitioner as claimed by the petitioner and his children



namely P.Narasimman and P.Jayapriya that they belong to Kurumans (ST) community in order to get Kurumans (ST) community certificate.

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For Petitioner : Mr.S.Doraisamy

For Respondents : Mr.A.Selvendran
Special Government Pleader

ORDER

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

The petitioner has come out with the present Writ Petition for a direction to the 1st respondent to complete the enquiry and forward the report to the 3rd respondent regarding genuineness of social status of the petitioner as claimed by him and his children namely P.Narasimman and P.Jayapriya that they belong to Kurumans (ST) community in order to get Kurumans (ST) community certificate.

2.By consent of both the learned counsel appearing for the petitioner as well as Mr.A.Selvendran, learned Special Government Pleader, who takes notice for the respondents, this Writ Petition is taken up for final disposal at the admission stage itself.

3.Heard the learned counsel appearing for the parties and perused the entire materials on record.



4. According to petitioner, he belongs to Hindu Kurumans Scheduled Tribe Community. In his School certificate, it has been recorded that he belongs to the Hindu Kurumans Scheduled Tribe (ST) Community. He preferred an application before the 3rd respondent on 23.06.2014, to issue community certificate to him as well as to his children viz., P.Narasimman and P.Jayapriya that they belongs to Kurumans (ST) community based on the State Level Committee report of his close blood relatives K.Devei and S.Kaviyarasan. Since, no order was passed on the said application dated 23.06.2014, the petitioner filed W.P.No.27154 of 2015 before this Court. The Division Bench of this Court, by the order dated 31.08.2015, directed the 1st respondent therein to consider and pass orders on the application dated 23.06.2014, within a period of six weeks from the date of receipt of a copy of that order. The 3rd respondent by the proceedings dated 28.11.2015, rejected the application of the petitioner on the ground that he does not belong to Kurumans Community. Again, the petitioner filed W.P.No.18359 of 2016 and the Division Bench of this Court by the order dated 18.07.2016, set aside the rejection order passed by the 3rd respondent and directed the State Level Committee to enquire into the social status of the petitioner. Thereafter, the 1st respondent referred the matter to the Vigilance Cell,



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Dharmapuri as well as to Anthropologist. The Vigilance Cell, Dharmapuri, in the year 2017, conducted enquiry and sent report to the 1st respondent. However, till date no action has been taken. Hence, the petitioner has come out with the present Writ Petition.

5.Considering the submissions of the learned counsel appearing for the petitioner that as per the orders of this Court, the 1st respondent conducted enquiry through Vigilance Cell and Anthropologist and considering the submissions of the learned counsel appearing for the petitioner that report has been submitted in the year 2017, the 1st respondent is directed to conduct and complete the enquiry after giving opportunity of personal hearing to the petitioner and pass orders, within a period of twelve weeks from the date of receipt of a copy of this order.

6.With the above directions, the Writ Petition is disposed of. No costs.

(V.M.V., J) (V.L.N., J)
13.03.2023

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Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No



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To

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