



W.P.No.10724 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2023

CORAM

MR.JUSTICE N.SESHASAYEE

W.P.No.10724 of 2023

B.Brahadeeswaran

... Petitioner

Vs.

1.The District Collector,
Office of the District Collector
Tirupur.

2.The Revenue Divisional Officer,
Udumalpet,
Tirupur District.

3.The Tahsildar,
Udumalpet,
Tirupur District.

... Respondents

PRAYER: The writ petition filed under Article 226 of the Constitution of India, for issuance of a writ of Certiorarified Mandamus, calling for the records of the third respondent dated 23.03.2023 in web-copy rejecting the petitioner's application No.8620230230208113 dated 08.02.2023 for the issuance of the EWS Certificate and quash the same, and consequently direct the third respondent to issue Economically Weaker Section Certificate to the



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petitioner.

For Petitioner : Ms.C.Sriranjani

For Respondents : Mr.G.Ameedius
Government Advocate for R1 to R3

ORDER

The petitioner has approached the third respondent, issuing him with a certificate to the effect that he belongs to the economically weaker section of society. However, this was rejected by the third respondent vide his proceedings dated 23.03.2023. This is now under challenge.

2.The third respondent has filed a counter, listing the grounds that justified his rejection of the petitioner's application for an Economically Weaker Section (EWS) Certificate. These grounds are as follows: (a) the petitioner did not attach his community certificate; (b) the salary certificate of the petitioner's mother, who works as a teacher, was not attached; and (c) the assets of the family were not disclosed.



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3.The learned counsel for the petitioner submitted that most of the particulars which the Tahsildar requires have already been provided to him, and yet he has not considered them.

4.Heard Ms.C.Sriranjani, the learned counsel for the petitioner and Mr.G.Ameedius, the learned Government Advocate appearing for respondents 1 to 3.

5.1 This Court, without getting into the rival allegations made, chooses to set aside the impugned order and remands the matter back for a *de novo* consideration by the third respondent. The petitioner is directed to provide (a) the community certificate; (b) the salary certificate of his mother, in case she has not paid any salary, then to supplant it with an affidavit from her and also essentially to provide necessary particulars regarding their assets before the third respondent.

5.2 Upon providing the above materials, the third respondent is required to hold an enquiry and to satisfy himself about the eligibility of the petitioner



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to obtain the Economically Weaker Section (EWS) Certificate. The entire exercise is directed to be completed within a period of twelve (12) weeks from the date on which the petitioner provides all the material particulars herein above directed.

6.The Writ Petition stands disposed of accordingly. No costs.

29.08.2023

Anu

Index : Yes / No

Neutral citation : yes/no

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N.SESHASAYEE, J.
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