



W.P.No.12029 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2023

CORAM

THE HONOURABLE Mrs. JUSTICE J.NISHA BANU
AND
THE HONOURABLE Mrs.JUSTICE N.MALA

W.P.No.12029 of 2021
and
W.M.P.No.12799 of 2021

Elavarasan
S/o M.Thangavel

.... Petitioner

VS

1. The Collector and District Magistrate-cum-Chairman,
District Level Committee,
Karaikal.
2. The Commissioner,
Karaikal Municipality,
Karaikal.
3. The Tahsildar,
Taluk Office,
Thirunallar.
4. M.Devendiran,
Son of Munusamy,
No.1, Annai Rosammal Nagar,
Thirunallar.

.... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India



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to issue a Writ of certiorari to call for the records on the file of the 1st respondent relating to the impugned order dated 20.04.2021 bearing Ref.No.13069/DM/KKL/2021/251 and quash the same.

For Petitioner : Mr.T.Saikrishnan

For Respondents : Dr.B.Ramasamy,
Additional Government Pleader(Pondy)
R1 to R3
Mr.S.Ravi for R4

ORDER

(Order of the Court was made by J.NISHA BANU, J.,)

The petitioner has filed the above writ petition challenging the order dated 20.04.2021 cancelling his community certificate.

2. The allegation against the petitioner is that he has tampered the Government Register and forged the Birth Certificate in Reg.No.K/1963/00775 registered in the name of one Andjammalle, D/o Aromougamme & Ramayee and produced the same as his birth certificate in the Taluk Office, Thirunallar and therefore, the community certificate of the petitioner has been cancelled.

3. A criminal case has been lodged against the petitioner and F.I.R. was registered in Crime No.128/2016 and the criminal case was taken on file in C.C.No.206/2018 by the Judicial Magistrate-II, Karaikal, and it is still



4. Since the criminal case is pending and as there is serious allegation against the petitioner, unless and until the criminal complaint reaches its finality, the present writ petition cannot be entertained. Therefore, the petitioner is directed to approach the Judicial Magistrate II Karaikal, for early disposal of C.C.No.206/2018 on its file. If the petitioner approaches the Judicial Magistrate II, Karaikal, the same may be disposed of by the said Magistrate within a period of three months thereafter. If the petitioner succeeds in the said criminal case, he is at liberty to approach the appropriate authority for issuance of fresh community certificate. The Writ Petition is disposed of accordingly. No costs. Consquently connected miscellaneous petition is closed.

(J.N.B., J.) (N.M., J.)
22.11.2023

vsi

Index : Yes / No

Internet : Yes / No

To

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District Level Committee,
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and
N.MALA,J.

vsi

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