



W.P.No.15963 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.06.2023

CORAM :

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE P. DHANABAL

W.P.No.15963 of 2023

V.Samburanam

... Petitioner

Vs.

1. The District Collector,
Tirupattur District,
Tirupattur 635 601.

2. The Revenue Divisional Officer,
Tirupattur District, Tirupattur 635 601.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to decide the appeal of the petitioner dated 23.12.2022 in accordance with law, within a reasonable time, as may be fixed by this Court.

For Petitioner : Mr.Radhakrishnan
for Mr.R.Rajnikant

For Respondents : Mr.A.Selvendran, Spl.Govt. Pleader



W.P.No.15963 of 2023

ORDER

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

WEB COPY

This Writ Petition has been filed to direct the first respondent to decide the appeal of the petitioner dated 23.12.2022 in accordance with law, within a reasonable time, as may be fixed by this Court.

2. The petitioner belonged to Kurumans Community, classified as Scheduled Tribe and she made an application dated 11.01.2015 to the second respondent to issue community certificates to her children, namely, V.Kamalakannan and V.Dharani, on the basis of his own brother Thippannan's community certificate. The second respondent rejected the application, vide order dated 31.03.2022, holding that the petitioner belonged to Hindu-Kurumbar (MBC) community. Therefore, the petitioner preferred an appeal dated 23.12.2002, before the first respondent and it has not been decided till date. Hence the writ petition.

3. The learned counsel for the petitioner submitted that the petitioner's son has completed his XII Standard and hence, there is an



W.P.No.15963 of 2023

urgency to get the community certificate for her children's educational purpose. The learned counsel further submitted that, the petitioner has already appeared for enquiry before the Revenue Divisional Officer and hence, there is no need to give opportunity to the petitioner to appear for enquiry and it is sufficient to direct the first respondent to decide the appeal filed by the petitioner, within a short period.

4. The learned Special Government Pleader, appearing for the respondents submitted that the appeal fled by the petitioner will be considered and appropriate orders will be passed by the concerned authorities on its own merits, within a time frame as fixed by this Court.

5. Considering the facts and circumstances of the case and also the limited scope of prayer, the first respondent is directed to consider the appeal dated 23.12.2002 filed by the petitioner and pass orders on its own merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.



W.P.No.15963 of 2023

6. With the above direction, this writ petition is disposed of. No costs.

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

05.06.2023

mst

To

1. The District Collector,
Tirupattur District,
Tirupattur 635 601.
2. The Revenue Divisional Officer,
Tirupattur District, Tirupattur 635 601.



WEB COPY



W.P.No.15963 of 2023

D.KRISHNAKUMAR, J.

and

P. DHANABAL, J.

mst

W.P.No.15963 of 2023

05.06.2023