



WEB COPY



W.P.No. 20373 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.07.2023

CORAM

**THE HON'BLE MRS. JUSTICE J.NISHA BANU
AND
THE HON'BLE MRS. JUSTICE N.MALA**

**W.P.No. 20373 of 2023
and W.M.P.No. 19734 of 2023**

T.Narasimhan

... Petitioner

Vs.

1. The Revenue Divisional Officer
Tirupattur-635601.

2. The Director
National Institute of Technology
Tiruchirappalli-620015.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondent no. 1 to issue "Kurumans" Scheduled Tribe Community Certificate to the petitioner's son Ruthish.N immediately on the basis of the petitioner's community certificate dated 28.11.2015.

For Petitioner

: Mr. M.Radhakrishnan

For Respondents

: Mr.E.Vijay Anand for R1

Additional Government Pleader



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ORDER

This writ petition has been filed to direct the 1st respondent to issue "Kurumans" Scheduled Tribe Community Certificate to the petitioner's son on the basis of the petitioner's community certificate dated 28.11.2015.

2. It is the case of the petitioner that he had made an online application to issue community certificate to his son on 24.04.2023 and the same was rejected by a non speaking one line order. Challenging the same, the petitioner has filed the present writ petition.

3. The learned counsel for the petitioner submits that the petitioner was issued with a community certificate dated 28.11.2015 mentioning as "Hindu Kurumans" and the same is not cancelled till date. Therefore, petitioner's son is entitled to get community certificate on the basis of the certificate already issued by the Revenue Divisional Officer, Thirupattur, Vellore District.



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4. Mr.E.Vijay Anand, learned Additional Government Pleader, appearing on behalf of the 1st respondent, on instructions, would submit that the petitioner may be directed to furnish necessary documents before the 1st respondent and further, the 1st respondent may be directed to consider the petitioner's online application and pass orders afresh.

5. A perusal of the order impugned would go to show that the rejection order passed in the online application made by the petitioner itself, is a one line order and the same cannot be sustained in the eye of law. Taking into consideration the facts of the case and submissions made by the learned counsel on either side, this Court is of the view that the matter needs reconsideration. Therefore, the matter is remitted back to the first respondent with a direction to consider the petitioner's application afresh. The petitioner is at liberty to produce all the relevant documents to substantiate his claim in respect of issuance of the community certificate. The 1st respondent shall consider the relevant documents and the application afresh, after affording personal hearing to the parties concerned and pass appropriate orders on merits and in



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accordance with law, within a period of two(2) weeks from the date of receipt of a copy of this order.

6. Along with the main writ petition, the petitioner has also filed an interim application seeking prayer to keep one seat vacant in Computer Science and Engineering (4 years) Bachelor of Technology Course in National Institute of Technology, Trichy. Keeping in view the order passed in the present writ petition, the 2nd respondent/NIT, Trichy is directed to keep one seat vacant in Computer Science and Engineering (4 years) Bachelor of Technology Course in the National Institute of Technology, Tiruchirappalli, till issuance of community certificate to the petitioner's son.

7. The Writ Petition and Writ Miscellaneous Petition are disposed of with the above directions. No costs.

Index : Yes / No
Msv

(J.N.B,J.) (N.M., J.)
13.07.2023



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