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W.P. No. 20774 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:13.07.2023

Coram:

**THE HONOURABLE MRS.JUSTICE J.NISHA BANU
AND
THE HONOURABLE MRS.JUSTICE N.MALA**

**W.P. No.20774 of 2023
and W.M.P. No. 20149 of 2023**

K. Vinoth Kumar

... Petitioner

Vs.

The Revenue Divisional Officer
Dharmapuri,
Dharmapuri District

... Respondent

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certioraritifed Mandamus, to call for the records relating to the online rejection order in Application Numbers in TN- 5202306088890 (Athiyan Vinoth Kumar) dated NIL quash the same and direct the respondent to issue community certificate to the petitioner's Son Athiyan Vinoth Kumar that he belongs to Kurumans (ST) Community based upon the Community Certificate of the petitioner, his brother K.Narasimman and sister K.Suganya.

For Petitioner	:	Mr. S. Doraiswamy
For Respondents	:	Mr. E. Vijayanand Special Government Pleader



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ORDER

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This writ petition has been filed against the rejection of the request of the petitioner for grant of community certificate, certifying that his son belongs to Kurumans, a Scheduled Tribe Community.

2. It is the case of the petitioner that he had made an online application to issue community certificate to his son on 08.06.2023 and the same was rejected. 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 07.04.1997 mentioning as “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, Dharmapuri.



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4. Mr.E.Vijay Anand, learned Additional Government Pleader, appearing on behalf of the respondent, on instructions, would submit that the petitioner may be directed to furnish necessary documents before the respondent and further, the 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 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 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 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 accordance



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with law, within a period of four(4) weeks from the date of receipt of a copy of this order.

6. The Writ Petition is disposed of with the above directions.

No costs. Consequently connected miscellaneous petition is closed.

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

13.07.2023

Index:Yes/No
Internet:Yes/No
Speaking Order: Yes/No
msv

To

The Revenue Divisional Officer
Dharmapuri
Dharmapuri District.



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J.NISHA BANU, J.,
and
N.MALA, J.,

msv

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