



W.P.No.23-----

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 24.08.2023

CORAM

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

W.P.No.23118 of 2023

L.Saroja

... Petitioner

Vs.

The Revenue Divisional Officer,
Dharmapuri,
Dharmapuri District.

... Respondent

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the order of rejection passed in Pa.Mu.6638/2022/A4 dated 02.0.2023 on the file of the respondent quash the same and direct the respondent to issue community certificate to the petitioner, her son S.Amsaraj and her grandchildren namely A.Kanishka, A.Rithika and A.Thirumalai that they belong to “Kurumans (ST) Community” based upon the Community Certificate already issued to the petitioner's father, her brothers, her sisters and other family members of the petitioner.

For Petitioner : Mr.S.Doraiswamy

For Respondents : Mr.E.Vijayanand
Additional Government Pleader

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ORDER

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This Writ Petition is filed to call for the records relating to the order of rejection passed in Pa.Mu.6638/2022/A4 dated 02.0.2023 on the file of the respondent quash the same and direct the respondent to issue community certificate to the petitioner, her son S.Amsaraj and her grandchildren namely A.Kanishka, A.Rithika and A.Thirumalai that they belong to “Kurumans (ST) Community” based upon the Community Certificate already issued to the petitioner's father, her brothers, her sisters and other family members of the petitioner.

2.According to the petitioner, the petitioner's father, brothers, sisters and entire family members are in possession of the valid Kurumans (ST) Community Certificate. By applying the ration laid down by the Hon'ble Supreme Court in the case of ***State of Bihar Vs. Sumit Anand*** reported in ***2015 (12) SCC 248***, wherein the Hon'ble Supreme Court held that once the parents are having a valid Community Certificate, their children are entitled to obtain a community certificate that they belong to Kurumans (ST) community.

3.The learned counsel for the petitioner had produced the legal heirship certificate enclosed at page No.34 of the typed set of papers. L.Pushparaj, the brother of the



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petitioner has also filed a writ petition before this Court in W.P.No.9512 of 2015 and this Court vide order dated 13.07.2015 passed a direction to the respondent to issue a necessary certificate forthwith, preferably within a period of one week from the date of receipt of the copy of this order and the above said order has also been complied with.

4.In the light of the above said order dated 13.07.2015 passed by this Court in W.P.No.9512 of 2015, the respondent is directed to issue the Community Certificates to the effect that the petitioner, her son and her grandchildren belong to Kurumans (ST) Community, within a period of two weeks from the date of receipt of a copy of this order.

5.Accordingly, this Writ Petition stands allowed. There shall be no order as to costs.

J.N.B.J., N.M.J.,
24.08.2023

Index : yes/no
Internet : yes/no
ah

To

The Revenue Divisional Officer,
Dharmapuri,

3/5



Dharmapuri District.

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J.NISHA BANU, J.
&
N.MALA, J.
ah

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