



W.P.No.24487 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2023

CORAM

MR.JUSTICE N.SESHASAYEE

W.P.No.24487 of 2023
and WMP.Nos.23910 and 23912 of 2023

S.Prithika

... Petitioner

Vs.

1. The Union of India,
Rep. by the Chief Secretary to Government,
Government of Puducherry,
Puducherry.
2. The Deputy Collector (Revenue) North,
Government of Puducherry,
Puducherry.
3. The Tahsildar-cum-Executive Magistrate,
Taluk Office,
Oulgaret,
Puducherry.
4. Centralised Admission Committee (CENTAC),
Directorate of Higher and Technical Education,
Government of Puducherry,
Kamarajar Manimandampam,
Puducherry - 605 008.

... Respondents



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PRAYER: The writ petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus calling for the records on the file of the third respondent relating to the impugned order bearing Ref.No.4075/TOO/A/Proceedings/2023, dated 28.07.2023 and quash the same and consequently direct the third respondent to issue the Residence Certificate to the petitioner.

For Petitioner : Mr.T.Sai Krishnan

For Respondents : Mr.R.Sreedhar,
Additional Government Pleader (P)

ORDER

The petitioner has challenged his application for issuing a domicile certificate by the third respondent.

2.Learned counsel for the petitioner submitted that he has preferred an appeal to the second respondent.



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3.The second respondent is now required to dispose of the same on or before

22.08.2023. This Court wonders if every other certificates or documents which a person may produce to prove that he is living within Puducherry has been ignored by the authority then what is the revelation which the authority expects to come to the conclusion that a person is actually residing within Puducherry.

4.Learned counsel for the respondent submitted that the authorities rely on VAO's information. The credibility of the VAO's information can itself be suspected for unless the quality of statement he collected and the names of the individuals who he had made to collect the information are made disclosed and the interest of the applicant will be seriously jeopardize.

5.Therefore, this Court requires the authorities to rework on the nature of evidentiary proof required to establish once domicile within Puducherry.

6.This Writ Petition stands disposed of subject to the direction as above and also observation made subsequently. No Costs. Consequently, connected miscellaneous petition are closed.



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7. Learned Additional Government Pleader (Puducherry) for the respondents is directed to intimate the second respondent forthwith about the order now passed.

18.08.2023

Anu/pvs

Index : Yes / No

Neutral citation : yes/no

Note to office: Issue order copy on 18.08.2023

To

1. The Chief Secretary to Government,
The Union of India,
Government of Puducherry,
Puducherry.
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Puducherry.
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N.SESHASAYEE, J.

Anu/pvs

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