



W.P.No.31589 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2023

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU
and
THE HONOURABLE MRS. JUSTICE N.MALA

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P.GANESAN

... Petitioner

Vs.

1.THE DISTRICT COLLECTOR
THIRUVANNAMALAI DISTRICT.

2.THE REVENUE DIVISIONAL OFFICER
THIRUVANNAMALAI DISTRICT.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to issue community certificate to petitioner and petitioner daughter G.Nandhini and Son G. Vignesh that they belong to the kattunayakkan (Schedule Tribe) Community without reference to pendency of appeal filed by petitioner before the 1st respondent

For Petitioner : Mr.L.Chandrakumar
for Mr.N.Naganathan
for Mr. P.S. Prabhu
For Respondents : Mr.T.Sampath Kumar
Government Advocate



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ORDER

(Order of the Court was made by J.Nisha Banu,J.)

This Writ Petition has been filed for issuance of Writ of Mandamus, to direct the respondents to issue community certificate to the petitioner, his daughter – G.Nandhini and son – G.Vignesh that they belong to the Kattunayakkan (Schedule Tribe) community, without reference to pendency of appeal filed by the petitioner before the 1st respondent.

2.Heard the learned counsel for the petitioner and the learned counsel appearing for the respondents and perused the materials available on record.

3.Learned counsel for the petitioner submits that petitioner's family belong to 'Kattunayakan' Community, which is a Scheduled Tribe Community. Petitioner's maternal uncle viz., Kannan has obtained a Community Certificate from Revenue Divisional Officer, Villupuram, on 01.03.2019, stating that he belongs to Kattunayakan Community. In the School Records, petitioner's community was mentioned as 'Kattunayakan'.

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Likewise, in the school records of his wife and children also it is mentioned that they belong to 'Kattunayakan' community. Petitioner's close relatives are also holding such certificates. Petitioner submitted an application to 2nd respondent seeking issuance of Community Certificate to him, his wife and children, enclosing necessary documents. However, the RDO, Tiruvannamalai vide orders dated 04.11.2019 and 10.05.2021 rejected the applications of the petitioner. Even though the report of the Anthropologist stands in favour of the petitioner, till date he was not issued with the Kattunayakkan (Schedule Tribe) community certificate.

4. Aggrieved against the order of rejection, petitioner filed an appeal before the District Collector, in terms of G.O.Ms.No.147. Since no action has been taken by the 1st respondent, he filed the present Writ Petition, seeking the above relief.

5. The learned Government Advocate appearing for the respondents would submit that the appeal preferred by the petitioner before the 1st respondent is pending for consideration and he would state that the same



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would be disposed of within the time frame fixed by this Court.

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6. In view of the submission made by the learned Government Advocate, this Court without expressing any opinion on the merits of the matter, directs the 1st respondent, to dispose of the appeal preferred by the petitioner, in terms of the G.O.Ms.No.147, by taking into consideration the report of the Anthropologist, within a period of eight weeks from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition stands disposed of. No costs.

(J.N.B.,J.) (N.M.,J.)
02.11.2023

Index : Yes / No
Speaking Order : Yes/No
Internet: Yes/No
Neutral Citation: Yes/No
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To
1. THE DISTRICT COLLECTOR
THIRUVANNAMALAI DISTRICT.
2. THE REVENUE DIVISIONAL OFFICER
THIRUVANNAMALAI DISTRICT.

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