



WEB COPY



W.P.No.35043 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.12.2023

CORAM

THE HON'BLE Mr. JUSTICE R.SURESH KUMAR
AND
THE HON'BLE Mr. JUSTICE G.ARUL MURUGAN

W.P.No.35043 of 2023

A.Tamilarasi

... Petitioner

Vs.

1.The District Collector,
Thiruvannamalai District.

2.The Revenue Divisional Officer,
Thiruvannamalai,
Thiruvannamalai District.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the 1st respondent to dispose of petitioner's appeal dated 26.12.2022 by taking note of the report of the Director of Tribal Research Center, M.Palada, Udthagamandalam, The Nilgiris made in R.C.No.107/A2/2021 dated 28.10.2021 and community certificate of the petitioners relatives.

For Petitioner : Mr.N.Naganathan

For Respondents : Mrs.S.Mythereye Chandru
Special Government Pleader



W.P.No.35043 of 2023

ORDER

WEB COPY (Order of the Court was made by R.SURESH KUMAR, J.)

The prayer sought for herein is for a writ of mandamus directing the 1st respondent to dispose of petitioner's appeal dated 26.12.2022 by taking note of the report of the Director of Tribal Research Center, M.Palada, Udhagamandalam, The Nilgiris made in R.C.No.107/A2/2021 dated 28.10.2021 and community certificate of the petitioners relatives.

2. The petitioner had given application to the Revenue Divisional Officer, Tiruvannamalai to get community certificate as ST community as he claimed that he belongs to Kattunayakan Community.

3. That application since was not considered, he had already approached this Court and filed writ petition before this Court in W.P.No.31182 of 2022. The said writ petition along with yet another writ petition came to be decided by a Division Bench of this Court by order dated 28.11.2022. Before the Division Bench, on behalf of the Revenue Divisional Officer it was submitted that, on 22.02.2021 orders have been passed rejecting the application submitted by the petitioner by the orders of the Revenue Divisional Officer. A copy of the said order also was



W.P.No.35043 of 2023

directed to be produced and which was directed to be served on the petitioner, who, on receipt of the same, was given a liberty to file an appeal to the District Collector under G.O.Ms.No.147 within a period of 30 days.

4. Pursuant to the said order passed by this Court in the said writ petition on 28.11.2022, the petitioner had given appeal to the District Collector on 26.12.2022, however the said appeal so far has not been disposed of, therefore the present writ petition has been filed by the petitioner seeking the aforestated relief.

5. Today when the writ petition came up for admission, at the admission stage Mrs.S.Mythereye Chandru, learned Special Government Pleader, having taken notice, has submitted the instructions given by the District Collector wherein the District Collector has stated that, the petitioner had been given a notice on 16.12.2023 to appear for an enquiry which is fixed on 20.12.2023 at 11.00 a.m. at the District Collector's office with all necessary documents in support of her claim.

6. The copy of the notice also has been served on the petitioner and a copy of which has been now given to the learned counsel appearing for



W.P.No.35043 of 2023

the petitioner who on receipt of the same would submit that, the petitioner would appear before the District Collector on 20.12.2023 along with necessary documents.

7. In view of the aforesaid facts, let the 1st respondent/District Collector complete the enquiry on 20.12.2023 or any other subsequent date at the earliest and pass necessary orders thereon on the appeal pending before him against the order of rejection passed by the Revenue Divisional Officer, of course, on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order or three weeks from the date of completion of the enquiry whichever is later.

8. With this direction, this Writ Petition is disposed of. No costs.

[R.S.K., J.] [G.A.M., J.]
18.12.2023

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No

Note : Issue order copy on **19.12.2023**

Sgl
To

1. The District Collector,
Thiruvannamalai District.



W.P.No.35043 of 2023

2. The Revenue Divisional Officer,
Thiruvannamalai,
Thiruvannamalai District.



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R. SURESH KUMAR, J.
and
G.ARUL MURUGAN, J.

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