



W.P.No. 35170 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.12.2023

CORAM:

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

**W.P.No. 35170 of 2023**

S.Sivaprakasam

..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, to issue a Writ of Mandamus, to direct the respondents to issue community certificate to petitioner children viz., S.Inbasekaran and S.Yamini to the effect that they belong to the Kattunayakkan community (Schedule Tribe) on the basis of his community certificate dated 15.11.1993 issued by the Assistant Collector, Tuticorin.

For Petitioner : Mr.N.Naganathan  
For Respondents : Mrs.Mythreye Chandru  
Special Government Pleader

Page No:1/6



W.P.No. 35170 of 2023

**ORDER**

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

Mrs.Mythreye Chandru, learned Special Government Pleader takes notice for the respondents.

2. By consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

3. This Writ Petition has been filed seeking for a direction to the respondents to issue community certificate to the petitioner's children viz., S.Inbasekaran and S.Yamini to the effect that they belong to the Kattunayakkan community (Schedule Tribe), on the basis of his community certificate dated 15.11.1993 issued by the Assistant Collector, Tuticorin.

4. The petitioner submits that he belongs to the Kattunayakkan Community, which is a Scheduled Tribe (ST) community. The claim of the petitioner is that his father was issued with Kattunayakkan community



W.P.No. 35170 of 2023

certificate on 24.07.1974 by the Tahsildar, Thiruvannamalai Taluk, and he had also obtained his community certificate from the Assistant Collector, Tuticorin vide certificate No.3952125 dated 15.11.1993 and at present, he is working at TANGEDCO . He further stated that his sister and brother were issued with Kattunayakkan Community Certificate on 15.11.1993.

5. According to the learned counsel for the petitioner, the petitioner had applied for Community Certificate for his children namely S.Inbasekaran and S.Yamini, before the 2<sup>nd</sup> respondent on 21.10.2020 and since the second respondent did not take any action on his application, he filed a writ petition in W.P.No. 31061 of 2022 and this Court disposed of the same vide order dated 22.11.2022, wherein a direction was given to the second respondent to pass orders on his application within a period of 12 weeks. Thereafter, without conducting any enquiry, the second respondent had passed an exparte order 7 by her proceedings No.Mu.Mu.A2/6933/2022 dated 10.04.2023 on the basis of report given by the Revenue Tahsildar. Aggrieved by the same, the petitioner preferred an appeal before the first respondent on 13.05.2023 and the same is pending till date. Hence the present writ petition.



W.P.No. 35170 of 2023

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6. Learned counsel for the petitioner further submitted that when the petitioner and his father, sister and his brother were issued with "Kattunayakkan (ST)" Community Certificates and the same is valid as on date, following the same, the respondents ought to have issued community certificate to his children.

7. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents.

8. Considering the facts and circumstances of the case and taking into account the submission made by the learned counsel on either side, we are of the opinion that since " Kattunayakkan (ST) community" certificate were issued to the petitioner, his father, sister and brother, there is no hurdle for the respondents in issuing community certificate as sought for by the petitioner to his children.



W.P.No. 35170 of 2023

9. Accordingly, we direct the 2<sup>nd</sup> respondent/ Revenue Divisional

Officer, Thiruvannamalai District to issue "Kattunayakkan (ST)" Community Certificate to the children of the petitioner viz., S.Inbasekaran and S.Yamini, within a period of four(4) weeks from the date of receipt of a copy of this order.

10. With the above direction, this Writ Petition is disposed of.

No costs.

(J.N.B.,J.) (N.M.,J.)  
21.12.2023

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

To  
1. The District Collector,  
Thiruvannamalai District

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

Page No:5/6



WEB COPY



W.P.No. 35170 of 2023

**J.NISHA BANU,J.**

**And**

**N.Mala,J.**

msv

**W.P.No. 35170 of 2023**

21.12.2023

Page No:6/6