



W.P.(MD) No.1749 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.1749 of 2023

N.Kumaresan

... Petitioner

Vs.

1.The District Collector,
Pudukkottai District,
Pudukkottai.

2.The Revenue Divisional Officer,
Illuppur,
Pudukkottai District.

3.The Tahsildar,
Kulathur Taluk,
Pudukkottai District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to dispose the appeal dated



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WEB COPY 01.11.2017 and consequently direct the 2nd respondent to issue the Kurumans Schedule Tribe Community certificate to the petitioner.

For Petitioner : Mr.P.Arun Jayatram
For Respondents : Mr.P.T.Thiraviyam,
Government Advocate

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the 1st respondent to dispose the appeal dated 01.11.2017 and consequently direct the 2nd respondent to issue the Kurumans Schedule Tribe Community certificate to the petitioner.

2. Heard Mr.P.Arun Jayatram, learned counsel for the petitioner and Mr.P.T.Thiraviyan, learned Government Advocate, who takes notice for the respondents.



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WEB COPY 3. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

4. The learned counsel appearing for the petitioner submitted that the petitioner belongs to Kurumans Scheduled Tribe Community and he applied for Community Certificate to the 2nd respondent on 17.08.2015 along with relevant enclosures. However, the said application was rejected by the 2nd respondent on 03.09.2016, stating that no such Kurumans Schedule Tribe Community are living in the said village. Aggrieved over the same, the petitioner has filed an appeal dated 01.11.2017 before the 1st respondent. The said appeal was pending before the 1st respondent for more than five years. Hence, the petitioner has filed this Writ Petition.

5. The learned Government Advocate appearing for the respondents submitted that the petitioner's appeal dated 01.11.2017 will be disposed of within a time frame.



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6. Considering the facts and circumstances of the case and also considering the fact that the petitioner's appeal is pending for more than five years, we direct the first respondent viz., the District Collector, Pudukkottai to dispose of the petitioner's appeal dated 01.11.2017, on its own merits and in accordance with law, as early as possible, preferably, within a period of twelve [12] weeks from the date of receipt of a copy of this order. The petitioner is directed to furnish the copy of the said appeal along with the copy of this order to the first respondent.

7. With the above direction, this Writ petition is disposed of. No costs.

[D.K.K., J.] [R.V., J.]

31.01.2023

NCC : Yes / No

Index : Yes / No

vsm



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