



W.P.(MD) No.22204 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.09.2023

CORAM:

**THE HONOURABLE MR.JUSTICE S.S.SUNDAR
and
THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

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Chandran

... Petitioner

-VS-

1.The Principal Secretary to
Government of Tamil Nadu
Adi-Dravidar and Scheduled
Tribe Department
Secretariat, Chennai

2.The District Collector
Theni District

3.Revenue Divisional Officer
Uthamapalayam
Theni District

4.The District Adi-Dhiravidar
and Welfare Officer
O/o.District Collectorate
Theni

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus to call for the records of the third respondent relating to the order dated 01.02.2023 in Pa.Mu.No. 4171/2021/A6 and quash the same as illegal and arbitrary and in consequence thereof direct the third respondent to issue community certificate to the petitioner's son Muthupandi and daughter Veeralakshmi as Malaivedan.

For Petitioner : Mr.P.Ganapathi Subramanian

For Respondents : Mr.J.Ashok
Additional Government Pleader

ORDER

[Order of the Court was made by S.S.SUNDAR, J.]

Mr.J.Ashok, learned Additional Government Pleader, takes notice for the respondents.

2. With the consent of both sides, this writ petition is taken up for final hearing at the admission stage itself.

3. This writ petition is filed for issuance of a writ of certiorarified mandamus to quash the order, dated 01.02.2023, passed by the Revenue



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Divisional Officer / third respondent dismissing the application submitted by the petitioner for issuance of community certificate to his children showing their community as Hindu – Malaivedan, which comes under Scheduled Tribes category.

4. This Court finds that by virtue of the Government Order in G.O. (Ms) No.147, Revenue [RA-3(2)] Department, dated 17.03.2016, the order passed by the Revenue Divisional Officer is appealable before the District Collector, who is the Chairman of the District Level Vigilance Committee.

5. Since the petitioner has an effective alternative remedy of filing appeal before the District Collector, this writ petition is dismissed with liberty preserved to the petitioner to approach the Appellate Authority / District Collector, Theni District, for appropriate relief. No costs.

[S.S.S.R., J.]

[D.B.C., J.]

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NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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