



WP(MD)No.12472 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 30.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

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D.Chelladurai @ Rengasamy Gounder

.. Petitioner

v.

The Tahsildar,
Sivakasi Taluk,
Sivakasi,
Virudhunagar District.

.. Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondent to issue a certificate evidencing the fact that the names 'Chelladurai' and 'Rengasamy Gounder' refer to the petitioner on the basis of the petitioner's representations dated 26.08.2016 and 01.02.2017.

For Petitioner : No appearance

For Respondent : Mr.M.Siddhardhan
Additional Government Pleader



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ORDER

According to the petitioner, his name is Chelladurai @ Rengasamy Gounder. In the documents, his name is recorded as Chelladurai S/o.Duraisamy Gounder. However, the petitioner claims that he is otherwise called as Rengasamy Gounder, which is the name of his grandfather. A sale deed was executed in the name of Rengasamy Gounder in the year 1971 and therefore, the petitioner has approached the authorities to issue a certificate that he is Chelladurai @ Rengasamy Gounder. However, the representation of the petitioner has not been considered. The petitioner has also made applications on 26.08.2016 and 01.02.2017 along with records that he is otherwise called as Rengasamy Gounder and filed this writ petition for a mandamus directing the respondent to issue a certificate evidencing the fact that the names 'Chelladurai' and 'Rengasamy Gounder' refer to the petitioner.

2.It is the contention of the petitioner that since he was called in his grandfather's name, ie., Rengasamy Gounder, also, the sale deed was



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registered in the name of Rengasamy Gounder in the year 1971. Therefore,

he has made an application to the respondent.

3.Learned Additional Government Pleader submitted that there is no provision for issuing such certificate by a Tahsildar. He has also relied upon a Circular issued by the District Collector, Namakkal, in a similar circumstances, in Na.Ka.No.10168/2022/C3 dated 09.04.2022, wherein, the District Collector has issued instructions to all the officials including the Tahsildars that certificates such as Community Certificate, Nativity Certificate, Residence Certificate, etc., alone can be issued by the Tahsildars and that a Certificate, sought for in this writ petition that both the names refer to a single person, cannot be issued by the Tahsildars.

4.This Court paid it's anxious considerations and perused the materials placed on record.

5.The petitioner claims that he is called as Chelladurai @ Rengasamy Gounder. The petitioner has also approached the revenue officials for



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issuing such certificate from the year 2015 and his earlier application was rejected by the Tahsildar, Sivakasi, after obtaining a report from the Revenue Inspector that in the Transfer Certificate, Ration Card, Voter ID, the petitioner's name is referred as Chelladurai and the patta also stands in the name of Chelladurai.

6.This rejection order of the Tahsildar dated 21.08.2015 is enclosed in the typed set of papers and the petitioner sought for a mandamus in this writ petition, instead of challenging the rejection order. The petitioner claims that he is also called as Rengasamy Gounder, by referring a document which was registered in the year 1971 as Doc.No.1535/1971. But this document is not placed before this Court.

7.In view of the above position and in the absence of any provisions enabling the revenue officials to issue such Certificate, this Court is not inclined to issue any mandamus as sought for. Accordingly, this writ petition is disposed of, with liberty to the petitioner to work out his remedy before the competent civil Court.



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WEB COPY There shall be no order as to costs.

Index : Yes / No
NCC : Yes / No
Internet : Yes
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To

The Tahsildar,
Sivakasi Taluk,
Sivakasi,
Virudhunagar District.



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B.PUGALENDHI, J.

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