



W.P.(MD).No.22364 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 06.12.2023

CORAM

**THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN**

W.P.(MD).No.22364 of 2017
and
W.M.P.(MD).No.18669 of 2017

S.Murugiah

.. Petitioner

Vs.

- 1.The Chairman,
State Level Caste Scrutiny Committee,
Fort St.George,
Chennai – 600 009.
- 2.The Superintendent of Police,
Social Justice and Human Rights,
Office of the Superintendent of Police,
Tirunelveli District,
Tirunelveli.
- 3.The Tahsildar,
Tenkasi Taluk,
Tenkasi – 627 811.



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4.The Regional Manager,
Central Bank of India,
No.22, 1st Floor,
Raja Muthaaiya Mandapam,
Dr.Ambedkar Road,
K.K.Nagar,
Madurai – 625 020.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Prohibition, prohibiting the respondents 1, 2 and 4, from proceeding with any other or further enquiry on the community certificate dated 08.04.1987 issued by the third respondent in favour of the petitioner, certifying his communal status as “Hindu Solaga (Sholaga)” and from cancelling the community certificate dated 08.04.1987 in any form or manner.

For Petitioner	: M/s.P.Jessi Jeeva Priya
For R-1 to R-3	: Mr.S.Shanmugavel Additional Government Pleader
For R-4	: Mr.N.Dilip Kumar

ORDER

(Order of the Court was made by S.M.SUBRAMANIAM,J.)

The Writ of Prohibition has been instituted to prohibit the respondents 1, 2 and 4 from proceeding with any further enquiry on the



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community certificate dated 08.04.1987 issued by the Tahsildar, Tenkasi Taluk, stating that the petitioner belongs to “Hindu Solaga (Sholaga)” community.

2. The petitioner secured the community certificate showing that he belongs to 'Hindu Solaga' community. On receipt of the complaint regarding the genuinity of the community certificate, the District Level Vigilance Committee, Tirunelveli District conducted an enquiry. The said enquiry resulted in cancelling the community certificate issued in favour of the writ petitioner.

3. Challenging the said cancellation, the petitioner filed a Writ Petition in W.P.(MD).No.6531 of 2001. This Court allowed the Writ Petition on 30.11.2006 and remanded the matter back to the District Level Committee. Since the matter was pending before the District Level Committee, subsequently, the case of the petitioner was referred for conducting enquiry before the State Level Scrutiny Committee. Thus, the petitioner has chosen to file the present Writ of Prohibition.



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4. Writ of Prohibition to prevent the authorities from conducting an enquiry into the community certificate is not entertainable. The State Level Scrutiny Committee is empowered to conduct an enquiry and ascertain the genuinity of the community certificate issued by the competent authority. Such power has been conferred to the State Level Scrutiny Committee in G.O.(2D)No.108, Adi Dravidar and Tribal Welfare Department dated 12.09.2007. Therefore, the relief as such sought for to prohibit the first respondent from conducting enquiry is untenable. However, the first respondent is directed to proceed with the enquiry, complete the same as expeditiously as possible and pass final orders by affording opportunity to the parties.

5. With the above direction, the Writ Petition stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition stands closed.

(S.M.S.,J.) (V.L.N.,J.)
06.12.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Lm



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To

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