



W.P.(MD).No.23812 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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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.23812 of 2017
and
W.M.P.(MD).No.19990 of 2017

T.Janarthanan

.. Petitioner

Vs.

- 1.The Chairman,
State Level Caste Scrutiny Committee,
Fort St. George,
Chennai - 600 009.
- 2.The Revenue Divisional Officer,
Collectorate,
Tirunelveli - 627 007.
- 3.The Superintendent of Police,
Social Justice and Human Rights,
Office of the Superintendent of Police,
Tirunelveli District,
Tirunelveli.
- 4.Additional Head Quarters of Tahsildar,
Ambasamudram Taluk,
Ambasamudram - 627 401,
Tirunelveli District.



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5.The Tahsildar,
Palayamkottai Taluk,
Palayamkottai - 627 002,
Tirunelveli District.

6.The Assistant General Manager (HR & A),
Office of the General Manager,
BSNL, South Bypass Road,
Vannarpettai,
Tirunelveli - 627 003.

.. 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 6, from proceeding with any other or further enquiry on the community certificates dated 16.06.1979 and 28.06.1983, issued by the respondents 4 and 5 in favour of the petitioner certifying his communal status as “Hindu Sholaga (Solaga)” and from cancelling the community certificates dated 16.06.1979 and 28.06.1983 in any form or manner.

For Petitioner	: M/s.P.Jessi Jeeva Priya
For R-1 to R-5	: Mr.S.Kameswaran Government Advocate
For R-6	: Mr.K.R.Laxman

ORDER

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

The Writ Petition has been instituted to prohibit the respondents 1, 2 and 6 from proceeding with any other for further enquiry on the community



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certificates dated 16.06.1979 and 28.06.1983 issued by the respondents 4 and 5 in favour of the petitioner, certifying his communal status as “Hindu Sholaga”.

2. The petitioner claims that he belongs to 'Hindu Sholaga' community, a Scheduled Tribe, under the notification issued under the Constitution (Scheduled Tribes), 1950. Since the genuinity of the community certificate issued in favour of the writ petitioner was questioned, an enquiry was contemplated.

3. Admittedly, now the matter is pending before the State Level Scrutiny Committee. During the pendency of the enquiry proceedings, the petitioner has chosen to file the present Writ of Prohibition. Prohibiting the State Level Scrutiny Committee from conducting an enquiry to ascertain the genuinity of the community certificate cannot be granted and such Writ Petitions are not entertainable. The State Level Scrutiny Committee is empowered to conduct an enquiry by affording opportunity to the parties and by following the procedures.



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4. In the present case, the writ petitioner has filed a Writ of Prohibition, prohibiting the authority from exercising his powers conferred under the orders of the Government. That being the relief sought for, we are not inclined to entertain the Writ Petition. However, the State Level Scrutiny Committee is directed to proceed with the enquiry by following the procedures and by affording opportunity to the parties and dispose of the same as expeditiously as possible.

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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