



W.P.(MD)Nos.27220 and 27221 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.(MD)Nos.27220 and 27221 of 2023

E.Mariappan Karthik

... Petitioner in W.P.(MD) No.27220 of 2023

K.Uma Maheswari

... Petitioner in W.P.(MD) No.27221 of 2023

Vs.

**1.The Chairman State Level Scrutiny Committee,
Secretary to Government Adidravadar Tribal Welfare Department,
Secretariat, Chennai – 9.**

**2.The District Collector,
Kanyakumari.**

**3.The Revenue Divisional Officer /Sub Collector,
Nagarkovil,
Kanyakumari District.**

... Respondents in both the Writ Petitions

PRAYER in W.P.(MD) No.27220 of 2023: Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the 2nd and 3rd respondents proceedings in ந.க.எண்.ஜே4/29350/2018, dated 10.01.2019 and ந.க.எண்.அ6/3398/2016 dated 11.05.2018 quash the same as illegal and



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consequently direct the 1st respondent to issue the Hindu Kattunayakkan scheduled Tribe Community Certificate to petitioner and his wife namely Mariammal, daughter namely Sathya and son namely saravanan on the basis of the records submitted by the petitioner.

PRAYER in W.P.(MD) No.27221 of 2023: Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the 2nd respondent in his proceedings in ஐ.க.எண்.ஜெ4/38621/2019, dated 07.07.2020 and the impugned order passed by the 3rd respondent in his proceedings in டி.பி. (அ6)/3630/2016 dated 15.07.2019 quash the same as illegal and consequently direct the 2nd respondent to issue the Hindu Kattunayakkan scheduled Tribe Community Certificate to petitioner's son namely K.Ajith Kumar and K.Agash Kumar on the basis of the records submitted by the petitioner.

For Petitioner in : Mr.V.Palanichamy
both the Writ Petitions

For Respondents in both : Mr.N.Satheesh Kumar
the Writ Petitions Additional Government Pleader

ORDER

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

The Writ Petitions on hand have been filed questioning the validity of the orders passed by the District Collector, Kanniyakumari District and the Revenue Divisional Officer, Nagercoil, rejecting the claim of the petitioners to issue Kattunayakkan Community Certificates.



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2. The petitioners claim that they belong to Kattunayakkan Community and submitted applications seeking Kattunayakkan Community Certificate. The Revenue Divisional Officer, Nagercoil, conducted an enquiry and found that the petitioners have failed to produce documents and evidences to establish that they belong to Kattunayakkan Community.

3. Learned counsel for the petitioners made a submission that appeals have been preferred before the District Collector, who also in turn declined to grant the relief, thereafter, further appeals were preferred before the State Level Scrutiny Committee and the said appeals are pending.

4. State Level Scrutiny Committee is the competent authority and therefore, the petitioners are at liberty to produce all documents, if any, for the purpose of establishing their community before the State Level Scrutiny Committee. The State Level Scrutiny Committee is directed to dispose of the appeals preferred by the petitioners as expeditiously as possible by following seniority of appeals which are all pending before the State Level Scrutiny Committee.



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5. These Writ Petitions stand disposed of with the above directions. No costs.

**(S.M.S., J.) & (V.L.N., J.)
15.11.2023**

NCC : Yes / No

Index : Yes / No

SJ

To

1.The Chairman State Level Scrutiny Committee,
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2.The District Collector,
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3.The Revenue Divisional Officer /Sub Collector,
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AND

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