



W.P.No.3244 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.03.2024

CORAM :

THE HON'BLE MR. JUSTICE S.S.SUNDAR
AND
THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

W.P.No.3244 of 2024

Sathish
S/o Subramaniam .. Petitioner

v.

1. The District Collector
Namakkal District
Namakkal
2. The Welfare Officer
District Backward and Minority
Welfare Department
Namakkal District
3. The Tahsildar
Mohanur Taluk
Namakkal District
4. The Zonal Deputy Tahsildar
Mohanur Taluk
Namakkal District

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India,



W.P.No.3244 of 2024

praying for issuance of a Writ of Certiorarified Mandamus, to call for the records of the impugned order of the 3rd and 4th respondents vide application no.TN-5202308308449 and TN-5202308308471 dated 30.08.2023 and quash the same and consequently directing the 3rd and 4th respondents to issue the community certificate of Backward Community – Ganjam Reddy to petitioner's son Tamil and daughter Thanvika Sri.

For Petitioner :: Mr.R.Balaguruswamy

For Respondents :: Mrs.V.Yamuna Devi
Special Government Pleader

ORDER

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

This writ petition is filed challenging the order passed by the respondents 3 and 4, rejecting the application filed by the petitioner through online for issuance of community certificate of Backward Community – Ganjam Reddy to the petitioner's children by merely updating a remark that action will be taken based on the report of the district awareness committee.

2. The case of the petitioner is that he belongs to Ganjam Reddy-Backward Class community. The petitioner earlier had applied for issuance of community certificate for Backward Community – Ganjam Reddy to his son and daughter. However, by the impugned order, the application filed by



W.P.No.3244 of 2024

the petitioner was rejected without even assigning any reason. The reasons stated in the impugned reads as follows:-

“Application Rejected. Action will be taken based on the report of the District Awareness Committee.”

The case of the petitioner is that the petitioner has obtained bona fide certificates from the school and also produced the certificates issued to the petitioner's relatives. It is in the said circumstances, the learned counsel for petitioner has produced before this Court the order passed by this Court in a batch of writ petitions in W.P.Nos.1101, 1105, 1109, 1111, 1114 of 2024 dated 06.03.2024 (Sarathkumar and others v. The District Collector, Namakkal and others), wherein this Court, after referring to G.O.Ms.No.541, Social Welfare Department dated 24.07.1981, quashed the order impugned therein and directed the respondents to pass orders afresh on the basis of the Government Order and after giving adequate opportunity.

3. Having regard to the factual averments made in the affidavit filed in support of the writ petition and the stand taken by the respondents in the



W.P.No.3244 of 2024

counter affidavit that the District Awareness Committee headed by the District Collector, Namakkal is required to pass orders, the impugned order without assigning any reason is set aside and the matter is remanded back to the first respondent to process the application of the petitioner. The District Awareness Committee headed by the District Collector, Namakkal District shall consider the application of the petitioner for issuance of Ganjam Reddy-Backward Class community certificate to the petitioner's son and daughter on the basis of valid documents submitted by the petitioner and on the basis of the guidelines issued in the Government Order aforesaid, and shall pass appropriate orders, after giving adequate opportunity to the petitioner, within a period of twelve weeks from the date of completion of the ensuing election process. The writ petition stands disposed of accordingly. Consequently, W.M.P.No.3512 of 2024 is closed. No order as to costs.

Index : yes/no
Neutral citation : yes/no

(S.S.S.R.,J.) (N.S.,J.)
21.03.2024

SS



W.P.No.3244 of 2024

To

WEB COPY

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W.P.No.3244 of 2024

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AND

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SS

W.P.No.3244 of 2024

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