



WEB COPY



W.P.No.4521 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.03.2024

CORAM :

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

W.P.No.4521 of 2024

Mrs.P.Kavitha

..

Petitioner

v.

1. The District Collector
Collectorate Office
Dharmapuri District

2. The Thasildar
Tahsildar Office
Dharmapuri Taluk and District

3. The Revenue Inspector
Dharmapuri Taluk and District

4. The Village Administrative Officer
Kadakathur Village
Dharmapuri Taluk and District

..

Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, calling for the records of the 2nd respondent in his proceedings Online Application No.TN-5202307041992 order dated 11.07.2023 and to quash the same and



W.P.No.4521 of 2024

consequently direct the respondents to consider the representation of the petitioner served to the respondents on 01.07.2023.

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For Petitioner :: Mr.S.Dayalan

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 impugned order showing the status of the application filed by the petitioner for issuance of community certificate, as rejected without assigning any reason.

2. The petitioner states that she belongs to Scheduled Caste community and her parents migrated with their children from Krishnagiri District to Kancheepuram District for survival. After the petitioner's birth, it is stated that her parents came back to their native Krishnagiri with their family and the petitioner was studying in a panchayat school in Hosur. The petitioner states that her father passed away before they came to Hosur and her mother also passed away when they were living in Krishnagiri. Except



W.P.No.4521 of 2024

the petitioner's elder sister who took care of the petitioner for sometime, the petitioner states that she had no other relative till her marriage. The petitioner states that she wants to continue her studies and hence requested for issuance of community certificate by enclosing the certificate of her sister through online application dated 24.05.2023. However, the said application was rejected through online giving the following reason - “Applicant has submitted certificate is not genuineness for DLC hence the application was rejected” impugned dated 11.07.2023. The petitioner states that she has once again applied for community certificate based on the school record and the legal heirship certificate through her representation dated 01.07.2023, which has been acknowledged on 05.07.2023. Since the said representation has not been considered, she has filed the present writ petition.

3. This Court has repeatedly held that the rejection of application submitted by candidates for community certificate through online without assigning reasons, is not proper. We have also referred to the order passed by different Benches giving certain directions. This Court in few cases has



W.P.No.4521 of 2024

suggested that the official respondents have to consider the application by following the procedure that was prescribed for disposing of the application manually. The petitioner is driven to Court because of the impugned order and the impugned order without assigning any reason to the understanding of anyone, is liable to be quashed. Accordingly, the impugned order is quashed and the writ petition is allowed. However, the second respondent is directed to consider the representation of the petitioner by following the procedure prescribed for considering the application manually and pass appropriate orders, after holding enquiry and after giving opportunity of hearing to the petitioner, within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Index : yes/no

(S.S.S.R.,J.)

(N.S.,J.)

Neutral citation : yes/no

20.03.2024

SS

To

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2. The Thasildar



W.P.No.4521 of 2024

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W.P.No.4521 of 2024

S.S.SUNDAR,J.

AND

N.SENTHILKUMAR,J.

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