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W.P.No.4086 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.02.2024

CORAM :

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

W.P.No.4086 of 2024

P.Shanmugam .. Petitioner
v.

1. The Tamil Nadu State Level
Scrutiny Committee – III
Adi Dravidar and Tribal Welfare Department
Namakkal Kavignar Maligai
Secretariat, Chennai 600 009
rep.by its Chairman/Additional Secretary to Government

2. The Director
Tribal Welfare Department
Chepauk, Chennai 600 005

3. The Collector
Salem, Salem District

4. The Revenue Divisional Officer
Mettur, Salem District .. Respondents



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Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to dispose the Second Appeal preferred by the petitioner dated 27.08.2021 as per the G.O.Ms.No.147, Revenue Department, dated 17.03.2016 and to proceed with the enquiry regarding genuineness of social status and verification of Kurumans (ST) community of the petitioner and his children namely S.Suganeshwaran and S.Gayathri within the time framed manner.

For Petitioner :: Mr.V.Elangovan

For Respondents :: Mr.R.Kumaravel
Additional Government Pleader

ORDER

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

The petitioner has filed this writ petition seeking for a mandamus to the respondents 1 and 2 to dispose of the second appeal preferred by the petitioner dated 27.08.2021, as per the G.O.Ms.No.147, Revenue Department, dated 17.03.2016 and to proceed with the enquiry regarding genuineness of social status and verification of Kurumans (ST) community of the petitioner and his children, namely, S.Suganeshwaran and S.Gayathri



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within the time fixed by this Court.

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2. It is stated by the learned counsel for petitioner that the petitioner and his family belong to Kurumans community, which is a Scheduled Tribe community. Since the respondents 3 & 4 rejected the claim of the petitioner and his children for issuance of Kurumans community certificate, the petitioner has filed an appeal before the first respondent Committee on 27.08.2021 and the said appeal is not yet disposed of by the State Level Scrutiny Committee. Hence, the petitioner has now filed the writ petition for the relief as stated above.

3. Considering the limited scope of prayer that is now sought before this Court by the learned counsel appearing for petitioner, without expressing any opinion on the merits of the petitioner's appeal or the contentions raised by the petitioner in the affidavit filed in support of the writ petition, the first respondent is directed to consider and dispose of the appeal on merits and in accordance with law, after giving an opportunity to the petitioner to participate in the enquiry proceedings, within a period of ten



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weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Index : yes/no

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

(N.S.,J.)

Neutral citation : yes/no

21.02.2024

SS

To

1. The Chairman/Additional Secretary to Government
Tamil Nadu State Level Scrutiny Committee – III
Adi Dravidar and Tribal Welfare Department
Namakkal Kavignar Maligai
Secretariat, Chennai 600 009
2. The Director
Tribal Welfare Department
Chepauk, Chennai 600 005
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S.S.SUNDAR,J.

AND

N.SENTHILKUMAR,J.

SS

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