



W.P.No.5918 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.06.2024

CORAM:

**THE HON'BLE MR.JUSTICE S.S.SUNDAR
and
THE HON'BLE MR.JUSTICE N.SENTHILKUMAR**

**W.P.No.5918 of 2024
and W.M.P.No.6559 of 2024**

Saikannan

...Petitioner

VS.

1.The Chairman,
District Level Vigilance Committee,
Dharmapuri – 636705,
Dharmapuri District.

2.The District Collector,
Dharmapuri District,
Dharmapuri – 636 705.

3.The Tahsildar,
Dharmapuri Taluk,
Dharmapuri District.

4.Vaiyapurishankar

...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to
issue a Writ of Certiorarified Mandamus to call for the records of the 2nd
respondent in Na.Ka.7355/2022 Ko.3 dated 24.02.2023 and to quash the



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same and direct the 1st respondent to enquire the genuineness of the community certificate of the 4th respondent.

For Petitioner : Mr.M.Muthappan
For Respondents : Mr.G.Nanmaran for R2 & R3
Special Government Pleader
Ms.B.Shakila for R4
for Krishnasamy Chinnasamy

ORDER

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

The petitioner in this writ petition has challenged the order passed by the District Collector, Dharmapuri dated 24.02.2023 rejecting the petitioner's complaint questioning the community status of the fourth respondent.

2.The brief facts necessary to dispose of the case are as follows:

(a) From the facts narrated in the writ petition, it appears that the petitioner and the fourth respondent have dispute in respect of a property and a civil suit is also pending.



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(b) The case of the petitioner is that the fourth respondent claiming himself to be a person belonging to the Scheduled Caste community has filed a Police complaint as against the petitioner and his family members under the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989.

(c) It is his further case that he came to know that the fourth respondent does not belong to Scheduled Caste community but a community known as Vannan which is a Most Backward Community. Based on the particulars gathered by the petitioner, the petitioner has submitted a representation to the District Collector and the District Collector has passed the impugned order holding that the fourth respondent belongs to the community known as Pudhiraivannan which is found in the list of Scheduled Caste community.

3.This Court finds that the District Collector has rejected the representation of the petitioner questioning the community status of the



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fourth respondent on the basis of the report of the Tahsildar concerned and the statement of the fourth respondent. Any complaint received for verification should be enquired only by the District Level Vigilance Committee/the first respondent herein.

4.Hence the impugned order is without jurisdiction and therefore it is liable to be set aside. Accordingly, this writ petition is allowed and the impugned order dated 24.02.2023 is set aside on the ground that the order passed is without jurisdiction. The second respondent is directed to refer the matter for verification of the community status of the fourth respondent before the first respondent. On receipt of the same, the first respondent is directed to consider and pass appropriate orders after due verification following procedures and giving opportunity to the concerned within a period of five months from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

(S.S.S.R.,J.) (N.S.,J.)
12.06.2024

Index: yes/no
Speaking order:yes/no

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Neutral Citation:yes/no
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To
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S.S.SUNDAR, J.
and
N.SENTHILKUMAR, J.

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