



W.P.No.15187 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

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Harish Kumar.S .. Petitioner

v.

1. The District Collector
The Office of the District Collector
Thiruvannamalai 606 604

2. The Tahsildar
The office of Cheyyar RDO
Cheyyar 603 302

.. 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 relating to the impugned order of the 2nd respondent in Oo.Mu.Aa.5/9559/2023 dated 31.01.2024 and quash the same and consequently direct the 2nd respondent to cancel the caste certificate bearing No.5674445 issued in favour of the petitioner and issue fresh caste certificate based on the petitioner's mother's community i.e., Vanniyakula



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Kshatriya belonging to Backward Class (BC) Community.

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For Petitioner :: Mr.Anoj Elangovan

For Respondents :: Mr.G.Nanmaran
Special Government Pleader

ORDER

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

The present writ petition is filed for issuance of a writ of certiorarified mandamus, calling for the records relating to the impugned order of the 2nd respondent in Oo.Mu.Aa.5/9559/2023 dated 31.01.2024 and quash the same and consequently direct the 2nd respondent to cancel the caste certificate bearing No.5674445 issued in favour of the petitioner and issue fresh caste certificate based on the petitioner's mother's community i.e., Vanniyakula Kshatriya belonging to Backward Class (BC) Community.

2. The petitioner states that he was born out of the wedlock between Mr.Sivakumar and Mrs.K.Alli. The petitioner's father belongs to Adidravida community, which is a Scheduled Caste, whereas his mother belongs to Vanniyakula Kshtriya, which is a Backward Class community. The



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petitioner was earlier issued with a certificate showing his community status as Scheduled Caste. It is the case of petitioner that his father and mother had separated and therefore he wants to get his community identification as that of her mother. It is in the said circumstances, the petitioner submitted an application for cancellation of his certificate and to issue a fresh certificate showing the petitioner's community as that of his mother. In support of his prayer, the petitioner has also relied upon G.O.(Ms)No.8, Backward Classes, Most Backward Classes & Minorities Welfare Department dated 09.02.2021. However, by the impugned order, the second respondent directed the petitioner to get relief by approaching Court. Since the petitioner is now living with his mother and his father had married another lady, he is entitled to get his community status as desired by him.

3. The learned Special Government Pleader appearing for the respondents has not disputed the factual contentions made by the petitioner. The learned Special Government Pleader also admits that the petitioner, as per his choice, is entitled to get the community certificate either by adopting his father's community or by adopting his mother's community in tune with



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the directives issued in the aforesaid Government Order.

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4. On the admitted facts, this writ petition stands allowed with a direction to the second respondent to cancel the community certificate vide Certificate No.5674445 and to issue a fresh community certificate as requested by the petitioner, in the light of the directives issued in G.O.(Ms)No.8 dated 09.02.2021, within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Index : yes/no
Neutral citation : yes/no

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

SS

To

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S.S.SUNDAR,J.

AND

N.SENTHILKUMAR,J.

SS

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