



WEB COPY



W.P.No.18297 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.06.2024

CORAM :

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

W.P.No.18297 of 2023

G.Ranganathan .. Petitioner

v.

1. The Collector
M.Singaravelar Maaligai
62, Rajaji Salai
Chennai Collectorate
Chennai 600 001
2. The Revenue Divisional Officer
Central Chennai Division
5-73, SH 112, Gandhi Nagar
Anna Nagar West Extension
Chennai, Tamil Nadu 600 040

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned proceedings issued by the 2nd respondent in Na.Ka.No.A5/1217/2023 dated 25.04.2023 and quash the



W.P.No.18297 of 2023

same and issue direction directing the collector to issue “Hindu Malai Kuravan” community certificate to petitioner's daughter and son, namely, R.Logeshwari and R.Lingeshwaran.

For Petitioner :: Mr.Ma.Gauthaman for M/s M.Rakhi

For Respondents :: Mr.P.Kumaresan
Additional Advocate General
assisted by Mr.G.Nanmaran
Special Government Pleader

ORDER

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

This writ petition is filed to quash the impugned order passed by the second respondent dated 25.04.2023 with a further direction to the first respondent-Collector to issue “Hindu-Malai Kuravan” community certificate to the petitioner's daughter and son, namely, R.Logeshwari and R.Lingeshwaran.

2. Brief facts that are necessary for the disposal of this writ petition are as follows:-

The petitioner states that he belongs to “Hindu-Malai Kuravar” caste,



W.P.No.18297 of 2023

which is notified as Scheduled Tribe. The petitioner's father was employed in Madras Metropolitan Water Supply and Sewerage Board. It is admitted before this Court by the petitioner that his father's community was mentioned as “Kuravas”. The petitioner has now applied for community certificate to his daughters, who are studying in a school. The petitioner sent a representation to the first respondent. The petitioner also filed a writ petition earlier in W.P.No.3180 of 2023, wherein this Court directed the second respondent to consider the representation of the petitioner after giving opportunity to him. After the disposal of the writ petition by order dated 07.02.2023, the petitioner approached the second respondent. Since the order was not complied with, the petitioner also filed a contempt petition. After receiving notice in the contempt petition, the second respondent passed the impugned order rejecting the petitioner's representation only on the ground that the service book pertaining to the petitioner's father shows that his father belongs to “Indian-Hindu-Koravas”. Since the petitioner has prayed for issuance of community certificates to his children to the effect that they belong to “Hindu-Malai Kuravan”, it is stated by the second respondent that the petitioner has not submitted enough documents to get



W.P.No.18297 of 2023

the community certificate to his children. Challenging the said order, the petitioner has come before this Court.

3. The learned counsel appearing for the petitioner submitted that the community status of the petitioner's father was never in issue before any forum. Since the service book of petitioner's father shows his community as “Hindu-Koravas”, the petitioner is also entitled to get his community status as well as his children declared in tune with the certificate on record of his father.

4. The learned Additional Advocate General appearing for the respondents, on instructions, submitted that the respondents have recognised the petitioner's community as “Kuravan”. The learned counsel for petitioner has no grievance if the petitioner's children are shown as belonging to “Kuravan” community.

5. This Court also finds that the respondents have not raised any serious issue on facts. The only problem stated in the counter affidavit is by



W.P.No.18297 of 2023

relying upon the list of communities which are broadly classified. It was pointed out from the list of communities that the petitioner's father belongs to “Hindu-Koravas” community. It is also evident from the community list that “Koravas” community is not a Scheduled Tribe. But “Kuravan” community is shown as Scheduled Caste. Having regard to the certificates produced by the petitioner, this Court is of the view that the petitioner's children cannot be denied the benefit of getting the community certificates at least to show that they belong to “Hindu-Kuravan” community, which falls under the Scheduled Caste category. Even from the counter affidavit, this Court is able to see that the respondents have not given any reason as to why the petitioner's children should not be given the certificate in tune with the certificate on record of his father. Therefore, the impugned order rejecting the petitioner's representation seeking issuance of community certificates to his children cannot be sustained and the petitioner is entitled to succeed in this writ petition. As a result the impugned order is set aside. The respondents are directed to issue the community certificates to the petitioner's daughters showing that they belong to “Hindu-Kuravan”, which is Scheduled Caste community, within a period of twelve weeks from the



W.P.No.18297 of 2023

date of receipt of a copy of this order. However, this shall not stand in the way of the respondents verifying the community status of the petitioner in accordance with law. The writ petition stands allowed. No order as to costs.

Index : yes/no
Neutral citation : yes/no

(S.S.S.R.,J.) (N.S.,J.)
19.06.2024

ss

To

1. The Collector
Chennai Collectorate
M.Singaravelar Maaligai
No.62, Rajaji Salai
Chennai 600 001
2. The Revenue Divisional Officer
Central Chennai Division
No.5-73, SH 112, Gandhi Nagar
Anna Nagar West Extension
Chennai 600 040



WEB COPY



W.P.No.18297 of 2023

S.S.SUNDAR,J.

AND

N.SENTHILKUMAR,J.

SS

W.P.No.18297 of 2023

19.06.2024