



WEB COPY



CrI.OP.No.22126 of 2023

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 19.01.2024**

**CORAM**

**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH**

**CrI.O.P.No.22126 of 2023**

**and**

**CrI.M.P.No.15385 of 2023**

B.Rajendran  
S/o.Butta Reddy

... Petitioner

Vs.

1. State rep. by  
Inspector of Police,  
Kolathur Police Station,  
Salem District – 636 303.  
FIR No.421/2021

2. Mrs.K.Jayanthi,  
Head Quarters Deputy Tahsildar,  
Taluk Office, Mettur,  
Salem District.

... Respondents

**Prayer:** Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records relating to the proceedings of the First Information Report in Cr.No.421 of 2021 on the file of the first respondent and quash the same.

For Petitioner : Mr.N.Naganathan

For Respondents : Mr.A.Damodharan

Additional Public Prosecutor[R1]

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**ORDER**



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This petition has been filed seeking to quash the First Information Report in Crime No.421 of 2021 pending investigation on the file of the first respondent.

2. Heard Mr.N.Naganathan, learned counsel for petitioner and Mr.A.Damodharan, learned Additional Public Prosecutor, appearing for first respondent.

3. The First Information Report was registered by the first respondent based on the complaint given by the second respondent on the ground that the community certificate that was relied upon by the petitioner was found to be suspicious/doubtful and based on this community certificate, the petitioner was also claiming for issuance of community certificate to his son Sanjay. The First Information Report came to be registered for offences under Sections 420, 466, 468 and 471 IPC.

4. Whenever the community certificate is doubted, it has to be referred and tested by the State Level Committee as per the judgment of



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the Apex Court in *Kumari Madhuri Patil and another v. Additional Commissioner, Tribal Development and others* [(1994) 6 SCC 241]. It is brought to the notice of this Court that the enquiry is now pending before the State Level Committee.

5. Apart from the above, the son of the petitioner had also approached this Court and filed W.P.No.27789 of 2023 seeking for issuance of community certificate to the effect that he belongs to Konda Reddy community. This writ petition was allowed by order dated 23.09.2023 and a direction was issued to issue community certificate in favour of the son of the petitioner within a period of four (4) weeks.

6. In the light of the above development, there is no question of the police investigating the case based on the complaint given by the second respondent. The enquiry conducted by the State Level Committee must be awaited and based on their direction, further course of action can be initiated.

**N.ANAND VENKATESH, J.**

gm



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**WEB COPY** Accordingly, this Criminal Original Petition is allowed and the First Information Report in Crime No.421 of 2021 is hereby quashed. Consequently, connected miscellaneous petition is closed.

**19.01.2024**

Speaking Order/Non-speaking Order  
Index :Yes/No  
Neutral citation: Yes/No  
gm

To

1. The Inspector of Police,  
Kolathur Police Station,  
Salem District – 636 303.
2. The Public Prosecutor,  
High Court, Madras.

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