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W.P.No.31903 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 24.10.2024**

CORAM:

**THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR**

**AND**

**THE HON'BLE MR.JUSTICE P.B.BALAJI**

**W.P.No.31903 of 2024 and**

**W.M.P.No.34652 of 2024**

O.Palaniappan

... Petitioner

-VS-

1. The District Collector,  
The Office of the District Collector,  
Dharmapuri District.
2. The Revenue Divisional Officer,  
Office of the Revenue Divisional Officer,  
Dharmapuri District.
3. The Tahsildar,  
Office of the Tahsildar,  
Nallampalli Taluk,  
Dharmapuri District.

... Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records of the 2<sup>nd</sup> respondent in his Proceedings No.Pa.Mu.4035/2023/A4 dated 02.09.2023 on the file of the 2<sup>nd</sup> respondent, quash the same and consequently, direct the 2<sup>nd</sup> respondent to issue Community Certificate to the petitioner's Children as prayed for.

For Petitioner : Mr.S.Senthilnathan  
For Respondents : Mrs.V.Yamunadevi  
Special Govt. Pleader

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## ORDER

(By **D.Krishnakumar,J.,**)

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This Writ Petition has been filed, challenging the Proceedings dated 02.09.2023 passed in Pa.Mu.4035/2023/A4, in and by which the request of the appellant for grant of Community Certificate as Scheduled Tribe stood rejected. The petitioner also sought a direction to the 2<sup>nd</sup> respondent to issue Community Certificate to the petitioner's Children as prayed for.

2. When the matter is taken up for hearing, it is represented by the learned Special Government Pleader appearing for the respondents that if the petitioner is aggrieved by the order passed by the 2<sup>nd</sup> respondent, she can prefer appeal before the District Collector as per G.O.147 Revenue [RA 3 (2)] Department dated 17.03.2016. It is further represented that the petitioner, without exhausting the said remedy, has straightaway approached this Court against the order of the 2<sup>nd</sup> respondent.

3. In view of the above submission, we are of the view that when an alternative remedy is available to the petitioner, it is impermissible for the petitioner to approach this Court by invoking Article 226 of the Constitution of India without exhausting the alternative remedy.

4. Hence, ***this Writ Petition is disposed of***, granting two weeks' time from



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the date on which a copy of the order is made ready, to the petitioner to file an appeal before the Appellate Authority. Registry is directed to return the original papers, if any to the petitioner forthwith after retaining xerox copies of the same. No costs. Consequently, connected Miscellaneous Petition is closed.

[D.K.K., J.,] [P.B.B.,J.,]  
24.10.2024

Index: Yes / No

Internet: Yes / No

Speaking Order/Non Speaking Order  
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To:

1. The District Collector,  
The Office of the District Collector,  
Dharmapuri District.
2. The Revenue Divisional Officer,  
Office of the Revenue Divisional Officer,  
Dharmapuri District.
3. The Tahsildar,  
Office of the Tahsildar,  
Nallampalli Taluk,  
Dharmapuri District.



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**D.KRISHNAKUMAR,J.,**  
**AND**  
**P.B.BALAJI,J.,**  
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**W.P.No.31903 of 2024**

**24.10.2024**