



WP.No.33062 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2024

CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDAR
and
THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR

WP.No.33062 of 2023

K.Selvan

...petitioner

Vs.

1. The Tamil Nadu State Level Scrutiny Committee-II,
Adi Dravidar and Tribal Welfare Department,
Namakkal Kavingar Maligai,
Secretariat,
Chennai 600 009.
rep. by its Chairman
2. The Revenue Divisional Officer,
Dharmapuri,
Dharmapuri District.

...respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus, directing the first respondent to pass orders regarding genuineness of Kurumans (ST) community certificate of the petitioner and his children namely 1) S.Chandraleka 2) S.Ravichandran and 3) S.Lakshmanan issued by the Revenue Divisional Officer,



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Dharmapuri and order to direct the 2nd respondent to issue permanent community certificate to the petitioner's children that they belong to Kurumans (ST) Community.

For petitioner : Mr.S.Doraisamy
For respondents : Mrs.S.Anitha, Spl.G.P.

ORDER

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

This petition has been filed seeking to issue a Writ of Mandamus, directing the first respondent to pass orders regarding genuineness of Kurumans (ST) community certificate of the petitioner and his children issued by the Revenue Divisional Officer, Dharmapuri and to direct the second respondent to issue permanent community certificate to the petitioner's children that they belong to Kurumans (ST) Community.

2. It is the case of the petitioner that he belongs to Kurumans Community, which is classified as Schedule Tribe Community. The petitioner obtained community certificate from the second respondent and



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the petitioner's own brother K.Siddhan also obtained community from the respondents. When the petitioner filed an application for community certificate to his children, the same was not considered. Therefore, the petitioner filed Writ Petition in WP.No.34871 of 2015 and this Court disposed of the said Writ Petition with a direction to dispose of the application of the petitioner.

3. It is the further case of the petitioner that instead of complying with the directions, the petitioner's application was rejected. Therefore, the petitioner was forced to file another Writ Petition in WP.No.28227 of 2018 and this Court set asides the order of rejection and directed the second respondent to issue community certificate to the petitioner's children. Thereafter, the second respondent filed a Review Petition in Rev.A.No.15 of 2019 and this Court while dismissing the Review Application on 28.01.2020 observed that the second respondent shall issue provisional community certificate to the children of the petitioner and the issuance of permanent certificate will depend on the enquiry to be conducted by the first respondent Committee. Theafter, the matter is pending before the first respondent Committee regarding verification of community certificate.



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4. Today, the learned Special Government Pleader by producing a proceedings of the first respondent/State Scrutiny Committee, dated 23.01.2024, submitted that the Tamil Nadu State Level Scrutiny Committee had conducted enquiry and confirmed that the petitioner and his children belong to "Kurumans" Scheduled Tribe Community and the Kurumans Scheduled Tribe Community Certificate issued to the individual, petitioner/Thiru.K.Selvan, vide order dated 15.06.1996 by the Revenue Divisional Officer, is "**Genuine**".

5. In view of the conclusion now reached by the State Level Scrutiny Committee, vide proceedings dated 22.01.2024, the petitioner is entitled to succeed in this Writ Petition. Accordingly, this Writ Petition is allowed. No costs.

(S.S.S.R.J.) (N.S.J.)
29.01.2024

Index : Yes / No
Speaking order: Yes/No
pvs



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To

1. The Chairman.

The Tamil Nadu State Level Scrutiny Committee-II,
Adi Dravidar and Tribal Welfare Department,
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Secretariat,
Chennai 600 009.

2. The Revenue Divisional Officer,
Dharmapuri,
Dharmapuri District.



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