



WEB COPY

W.P.No.34989 of 2



THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN  
AND  
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

**W.P.No.34989 of 2024**  
**and**  
**W.M.P.No.37941 of 2024**

K.Vishmaya

...Petitioner

Vs.

- 1.District Collector,  
Collectorate Office,  
Vazhudavoor Road,  
Pettaiyanchathiram,  
Puducherry – 605 009.
- 2.Deputy Tahsildar,  
Sub-Taluk Office, Mahe,  
Puducherry – 673 301.
- 3.Revenue Inspector,  
Sub-Taluk Office, Mahe,  
Puducherry – 673 310.
- 4.Village Administrative Officer,  
Sub-Taluk Office, Mahe,  
Puducherry – 673 310.



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5. Director of School Education,  
Directorate of School Education,  
Government of Puducherry, Puducherry.

...Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the 2<sup>nd</sup> respondent dated 21.10.2024 in No.1049/STOM/T3/2024 and quash the same and consequently directing the 2<sup>nd</sup> respondent to issue Community Certificate under Constitution (Pondicherry) Schedule Castes Order 1964 within a time frame stipulated by this Court.

For Petitioner : Mr.Venkatasubban  
For M/s.Sarvabhauman Associates

For Respondents 1 to 5 : Mrs.V.Usha,  
Addl. Govt. Pleader (Pondicherry)

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### **J U D G M E N T**

(Judgment of the Court was delivered by ***R.SUBRAMANIAN, J.***)

The claim of the petitioner seeking a Community Certificate to the effect that she belongs to the Scheduled Caste Community having origin of Puducherry was rejected by the Authority on the ground that the petitioner



has not established that her ancestors had resided in Puducherry before 1964.

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2. The only evidence that is available is that the father of the petitioner has migrated to Puducherry in 1970. But, he did his school education in Balussery, Kozhikode of Kerala District. When the writ petition was listed earlier, we had required the learned counsel for the petitioner to produce the proof to the effect that her ancestors were resident of Puducherry prior to 1964.

3. Mr.Venkatasubban, learned counsel appearing for the petitioner would submit that the petitioner does not possess any such proof.

4. The Constitution (Pondicherry) Scheduled Caste Order, 1964 requires proof of origin status for a person to be favoured with a certificate that he or she belongs to Scheduled Caste entitled to the benefits within the Union Territory of Puducherry. The said Order requires the ancestors of the person who claims such certificate should be born prior to 1964 in the



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Union Territory of Puducherry or should have migrated to the Union Territory of Puducherry before 1964. In the absence of such proof, the petitioner cannot be favoured with a certificate as prayed for.

5. Hence, this writ petition is **dismissed**. No costs. Consequently, the connected miscellaneous petition is closed.

(R.S.M., J.) (C.K., J.)  
04.12.2024

dsa

Index : No  
Neutral Citation : No  
Speaking order



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To

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**R.SUBRAMANIAN, J.**  
**and**  
**C.KUMARAPPAN, J.**

dsa

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**04.12.2024**