



WEB COPY

W.P.No.35051 of 2



THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.11.2024

CORAM:

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

W.P.No.35051 of 2024

Surya Prakash Rao

...Petitioner

Vs.

1.The Union of India,
Represented by Secretary (Revenue),
Government of Puducherry,
Puducherry – 605 001.

2.The Regional Administrator,
Government House, Yanam,
Government of Puducherry,
Puducherry – 533 464.

3.The Tahsildar,
Yanam District,
Puducherry – 533 464.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd and 3rd respondents to consider the petitioner's representation dated 11.09.2024 pertains to issuance of Scheduled Caste origin community certificate based on his mother's birth proof in the light of judgment of this Court in W.P.No.34933 of 2023.



WEB COPY

W.P.No.35051 of 2



For Petitioner : Mr.P.Sudagar

For Respondents : Mrs.V.Usha,
Additional Govt. Pleader (Puducherry)

J U D G M E N T

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

Mrs.V.Usha, learned Additional Government Pleader (Puducherry) takes notice for the respondents.

2. The petitioner seeks a writ of mandamus directing the respondents 2 and 3 to consider his representation dated 11.09.2024 seeking issuance of certificate to the effect that he belongs to the Scheduled Caste Community in the Union Territory of Puducherry, based on the status of his mother as a native of Puducherry.

3. The issue is no longer *res integra*. This Court in ***P.Jeya Vs. Union of India*** made in ***W.P.No.30841 of 2002*** quashed the OM issued by the Government of Puducherry to the effect that the Scheduled Caste Certificate



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is conferred on the basis of the origin of the father alone and not on the basis of the origin of the mother. The said judgment was confirmed in W.A.No.1326 of 2005 vide order dated 30.06.2010. The said judgment was also confirmed by the Hon'ble Supreme Court. Following the same, a Division Bench of this Court in ***Brema.S Vs. Union of India and others*** rendered in ***W.P.No.34728 of 2024 etc., batch*** had directed issuance of Community Certificate based on the origin of the mother.

4. In view of the same, there will be a direction to the respondents to conduct an enquiry, verify the authenticity of the records produced by the petitioner and issue a Community Certificate to the effect that the petitioner belongs to the Scheduled Caste with the Origin in Puducherry, if the documents produced by the petitioner are shown to be genuine.

5. Accordingly, this Writ Petition is disposed of. No costs.

(R.S.M., J.) (C.K., J.)
26.11.2024

dsa

Index : No
3/6



Neutral Citation : No
Speaking order

WEB COPY

W.P.No.35051 of 2





W.P.No.35051 of 2

To

1. The Secretary (Revenue),
Union of India,
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Puducherry – 605 001.

2. The Regional Administrator,
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Puducherry – 533 464.

3. The Tahsildar,
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W.P.No.35051 of 2

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

dsa

W.P.No.35051 of 2024

26.11.2024