



W.P.No.34943 etc, batch of 2

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2024

CORAM:

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

W.P.Nos. 34943, 34947, 34948 & 34952 of 2024
and
W.M.P.Nos. 37892, 37900, 37901, 37902 & 37903 of 2024

M.E.Mohanasundram

...Petitioner in W.P.No.34943 of 2024

1.T.Vanisree

2.T.Nithiya Sree
2024

... Petitioners in W.P.No.34947 of

N.Yuvaraj

...Petitioner in W.P.No.37948 of 2024

G.K.Ganesan

...Petitioner in W.P.No.34952 of 2024

Vs.

1.The District Collector,
Tiruvallur District,
Tiruvallur.

2.The Revenue Divisional Officer,
Tiruttani,
Tiruvallur District.

...Respondents



Common Prayer: Writ Petitions filed under 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the order of cancellation of community certifiante of the petitioners in Na.Ka.No.J3/3196/2020 dated 10.10.2024 on the file of the 1st respondent and quash the same.

For Petitioners : Mr.S.Doraiswamy in all WPs'

For Respondents : Mr.Vadivelu Deenadayalan

Addl. Govt. Pleader for R1 in all WPs'

Mr.P.Kumaresan,

Additional Advocate General for R2

COMMON ORDER

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

Challenge in all these Writ Petitions is to the order of the District Collector, Tiruvallur dated 10.10.2024, cancelling the community certificate issued to the petitioners, certifying that they belong to the scheduled tribe community called "Konda Reddy".

2. As per the directions issued by the Hon'ble Supreme Court in



Kumari Madhuri Patil Vs. Additional Commissioner reported in **1994 (6)**

SCC 241, it is the State Level Scrutiny Committee which will have to determine the genuineness or otherwise of the community certificates, particularly, community certificates certifying that a person belongs to Scheduled Tribe community.

3. The Government has issued a Government Order in G.O.(2D)No.108 Adi Dravidar and Tribal Welfare (CV-I) Department dated 12.09.2007, setting out the procedure and also constituting the District Level Vigilance Committee and State Level Scrutiny Committee as well as their functions. In the said Government Order also the power of cancellation is vested only in the State Level Committee.

4. A Division Bench of this Court in ***V.P.Umapathy and Others Vs. The District Collector, Tiruvallur District and Another*** has, by its order dated 13.11.2024 quashed some orders passed by the District Collector, Tiruvallur and granted liberty to the State Level Scrutiny Committee to take appropriate proceedings as per the guidelines prescribed in the manner known to law.



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5. In view of the same, all these Writ Petitions will stand **allowed**, the order of the District Collector impugned in the Writ Petitions will stand quashed. Liberty is reserved to the Government to take appropriate action as per law. No costs. The petitions filed under Rule 15 of the Madras High Court Writ Rules, 2021 will stand allowed and the other connected miscellaneous petitions are closed.

(R.S.M., J.) (C.K., J.)
22.11.2024

kkn

Internet: Yes / No

Index: Yes / No

Speaking / Non-speaking order

Neutral Citation : Yes / No

Note: Issue order copy on 03.12.2024.



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WEB COPY To:

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Tiruvallur District,
Tiruvallur.
- 2.The Revenue Divisional Officer,
Tiruttani,
Tiruvallur District.



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