



WEB COPY

W.P.Nos.36281 of 2024 etc., b



THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.11.2024

CORAM:

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

W.P.Nos.36281, 36282, 36286, 36289 & 36291 of 2024
and
W.M.P.Nos.39159, 39160, 39161, 39164, 39165,
39167, 39169, 39170 & 39171 of 2024

1.B.Ashok

2.B.Sathya ... Petitioners in W.P.No.36281 of 2024

D.Rajamanickam ... Petitioner in W.P.No.36282 of 2024

1.A.Saravanan

2.A.D.Arul Kumar ... Petitioners in W.P.No.36286 of 2024

1.K.Yugendran

2.K.Meenalochini ... Petitioners in W.P.No.36289 of 2024

1.P.Saranraj

2.P.Jothi Saranya ... Petitioners in W.P.No.36291 of 2024

Vs.

1.The District Collector,

1/6



Tiruvallur District,
Tiruvallur.

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

...Respondents in all W.P.s

Common Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the records relating to the order of cancellation of community certificate 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 W.P.s
For Respondents	: Mr.P.Kumaresan, Additional Advocate General Assisted by Mr.Vadivelu Deenadayalan, Add. Govt. Pleader in all W.P.s

COMMON JUDGMENT

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

With the consent of the learned counsel on either side, the writ petitions are taken up for final hearing in the admission stage.



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2. Heard Mr.P. Kumaresan, learned Additional Advocate General for the respondents.

3. In all these writ petitions the order of the District Collector cancelling the community certificates are under challenge.

4. As per the direction of the Hon'ble Supreme Court in ***Kumari Madhuri Patil Vs. Additional Commissioner*** reported in ***1994 (6) SCC 241***, it is only the State Level Scrutiny Committee which will have to take up the issue relating to cancellation and the District Collector have no power to cancel the community certificates. The State Government also framed a memorandum of procedure with reference to cancellation of community certificates vide G.O.(2D)No.108 Adi Dravidar and Tribal Welfare (CV-I) Department dated 12.09.2007 setting out a detailed procedure for cancellation of community certificates. Evidently the said procedure has not been followed in the cases on hand.



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5. Hence, all these writ petitions are **allowed**. The order impugned in the writ petitions are quashed, leaving it open to the State Level Scrutiny Committee to take appropriate proceedings to verify the genuineness of the community certificates issued in favour of the petitioners. 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.)
29.11.2024

dsa

Index : No
Internet : Yes
Neutral Citation : No
Speaking order

Note:- Issue order copy by 02.12.2024.



To

WEB COPY

1. The District Collector,
Tiruvallur District,
Tiruvallur.

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

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

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