



WEB COPY

W.P.No.38106 etc, batch of 2



THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.12.2024

CORAM:

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

W.P.Nos.38106, 38111, 38114 & 38117 of 2024

and

W.M.P.Nos. 41249, 41250, 41232, 41238, 41239, 41243 & 41244 of 2024

N.K.Rajeshwaran

...Petitioners in W.P.No.38106 of 2024

1.C.Nagaraj

2.C.Loganayaki

3.C.Subhashini

4.S.Siva

...Petitioners in W.P.No.38111 of 2024

1.A.V.Shenbagam

2.A.V.Thenmozhi

3.A.V.Thamaraiselvan

...Petitioners in W.P.No.38114 of 2024

1.A.L.Pandiyan

2.L.Sankar

3.Minor A.P.Perarasu

...Petitioners in W.P.No.38117 of 2024

Vs.

1.The District Collector,
Tiruvallur District,
Tiruvallur.

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

...Respondents in all writ petitions

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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 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

For Respondents : Mr.P.Kumaresan,
Additional Advocate General
assisted by Mr.Vadivelu Deenadayalan
Additional Government Pleader

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 by the competent authority.

2. In similar matters, as against the orders of the very same District Collector, we had passed the following order:-

"2. The issue relating to cancellation of community certificates by the Collector has been gone into by us in W.P.No.34795 of 2024 etc., batch and we had concluded that



*the District Collector has no power to cancel the certificates issued, in view of the directions of the Hon'ble Supreme Court in **Kumari Madhuri Patil Vs. Additional Commissioner** reported in 1994 (6) SCC 241."*

3. We had also pointed out that the State has issued an elaborate manual for dealing with the issues relating to cancellation of community certificates. Evidently, the procedure prescribed in the manual has not been followed."

3. 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.)
19.12.2024

kkn

Internet: Yes

Index: No

Speaking order

Neutral Citation : No

Note: Issue order copy on 21.12.2024.

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W.P.No.38106 etc, batch of 2



To:

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



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W.P.No.38106 etc, batch of 2



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

KKN

W.P.Nos.38106, 38111, 38114 & 38117 of 2024
and
Connected miscellaneous petitions

19.12.2024