



W.P.Nos.6097, 6100, 6101, 6102 & 6104 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE N. SENTHILKUMAR

W.P.Nos.6097, 6100, 6101, 6102 & 6104/2024

and

WMP.Nos.6747, 6749, 6751, 6752, 6754/2024

Prakasam ... Petitioner
in W.P.No.6097 of 2024

Rajasekaran ... Petitioner
in W.P.No.6100 of 2024

Senthilkumar ... Petitioner
in W.P.No.6101 of 2024

Manikandan ... Petitioner
in W.P.No.6102 of 2024

Ayyappan S ... Petitioner
in W.P.No.6104 of 2024

Vs.

1.The District Collector,
Namakkal District,
Namakkal.



W.P.Nos.6097, 6100, 6101, 6102 & 6104 of 2024

WEB COPY

2.The Welfare Officer,
District Backward and Minority Welfare Department,
Namakkal District.

3.The Tahsildar,
Mohanur Taluk,
Namakkal District.

4.The Zonal Deputy Tahsildar,
Mohanur Taluk,
Namakkal District.

... Respondents
in all writ petitions

Prayer in W.P.No.6097 of 2024 : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for the records of the impugned order of the 3rd and 4th respondents vide application vide No.TN-5202308311895 and TN-5202308312249 dated 31.08.2023 and quash the same and consequently, direct the 3rd and 4th respondents to issue the Community Certificate of Backward Community – Ganjam Reddy to petitioner's sons Vetrivel and Vetri Amudhan

Prayer in W.P.No.6100 of 2024 : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for the records of the impugned order of the 3rd and 4th Respondents vide application vide no.TN- 5202308307915 and TN- 5202308307493



W.P.Nos.6097, 6100, 6101, 6102 & 6104 of 2024

dated 30.08.2023 and quash the same and consequently directing the 3rd and 4th respondents to issue the Community certificate of Backward Community- Ganjam Reddy to Petitioner's son Tamilchelvan and daughter Sanasri.

Prayer in W.P.No.6101 of 2024 : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for the records of the impugned order of the 3rd and 4th Respondents vide application vide no.TN- 5202308306385 and TN- 5202308306787 dated 30.08.2023 and quash the same and consequently directing the 3rd and 4th respondents to issue the Community certificate of Backward Community- Ganjam Reddy to Petitioner's daughters Mounika and Prakiya.

Prayer in W.P.No.6102 of 2024 : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for the records of the impugned order of the 3rd and 4th Respondents vide application vide no.TN- 5202307247148 dated 24.07.2023 and quash the same and consequently directing the 3rd and 4th respondents to issue the Community certificate of Backward Community- Ganjam Reddy to Petitioner's son Lithishvishwak.

Prayer in W.P.No.6104 of 2024 : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for the records of the impugned order of the 3rd and 4th Respondents



WEB COPY

(2) The case of the petitioners is that the petitioners' relatives have already obtained Community Certificate showing that they belong to Backward Community – Ganjam Reddy. The learned counsel for the petitioners relied upon a Government Order vide G.O.Ms.No.541, Social Welfare Department, dated 24.07.1981, giving instructions to the Revenue officials while considering the application for issuance of Community Certificate to the people belonging to Ganjam Reddy Community. The said Government Order reads as follows :

“3.The following may also be accepted as proof for belonging to the said community.

- i. Production of Sale deeds etc., where evidence is available that he/she belongs to the Ganjam Reddy community.*
- ii. Relatives of those who have produced evidence mentioned in item (1) above.*
- iii. In case where no documentary evidence as stated in item i & ii could be produced, a sworn affidavit by this person/parents/guardians in stamped paper with two respectable witnesses that he or she belongs to Ganjam Reddy may be obtained.”*



W.P.Nos.6097, 6100, 6101, 6102 & 6104 of 2024

WEB COPY

(3) It is admitted that the petitioners have applied online for issuance of Community Certificate to their children. When the applications for issuance of Community Certificate are made on the basis of guidelines issued by the Government, this Court finds that the impugned orders rejecting the applications without assigning any reason and bereft of particulars, are unsustainable and suffer from non-application of mind. Hence, these **writ petitions are allowed** and the impugned orders dated 24.07.2023, 25.07.2023, 30.08.2023 and 31.08.2023 respectively, are set aside and the matters are remitted back to the respondents for passing orders afresh after holding enquiry and following the Government Orders. No costs. Consequently, connected miscellaneous petitions are closed.

[S.S.S.R., J.] [N.S., J.]
08.03.2024

AP

Internet : Yes
Index : Yes / No
Neutral Citation : Yes / No

To



W.P.Nos.6097, 6100, 6101, 6102 & 6104 of 2024

WEB COPY

1.The District Collector,
Namakkal District,
Namakkal.

2.The Welfare Officer,
District Backward and Minority Welfare Department,
Namakkal District.

3.The Tahsildar,
Mohanur Taluk,
Namakkal District.

4.The Zonal Deputy Tahsildar,
Mohanur Taluk,
Namakkal District.

S.S. SUNDAR, J.



WEB COPY



W.P.Nos.6097, 6100, 6101, 6102 & 6104 of 2024

and
N. SENTHILKUMAR, J.

mkn

W.P.Nos. 6097, 6100, 6101,
6102 & 6104 /2024

08.03.2024