



W.P.(MD) No.3874 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.02.2024

CORAM:

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

W.P.(MD) No.3874 of 2024

V.Iyyappan

... Petitioner

-VS-

- 1.The District Collector / Chairman,
District Level Vigilance Committee to Scrutinize the Community Certificates,
Collectorate,
Tirunelveli,
Tirunelveli District.
- 2.The District Adi Dravidar and Tribal Welfare Officer /
Member Secretary,
District Level Vigilance Committee to Scrutinize
the Community Certificate,
Office of the District Adi Dravidar and Tribal Welfare Officer,
Tirunelveli,
Tirunelveli District.
- 3.The Revenue Divisional Officer,
Tirunelveli,
Tirunelveli District.
4. Amutha Rani

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the Respondents No.1 to 3 to scrutinize the community certificate issued to the 4th Respondent as Schedule Caste in No. 154997 issued by the Tahsildar, Palayamkottai dated 26.06.2000 and cancel the same based on the petitioner's application dated 15.12.2023 within the time stipulated by this Hon'ble Court.

For Petitioner : Mr.A.S.Abul Kalaam Azad
for M/s.Spicy Law Firm

For Respondents : Mr.S.P.Maharajan,
Special Government Pleader for R1 to R3

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondents No.1 to 3 to scrutinize the community certificate issued to the 4th Respondent as Schedule Caste in No. 154997 issued by the Tahsildar, Palayamkottai dated 26.06.2000 and cancel the same based on the petitioner's application dated 15.12.2023 within a time frame.



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2. By consent of both sides, the Writ Petition is taken up for final disposal at the time of admission itself. Considering the nature of the order proposed to be passed in this Writ Petition, protecting the interests of the 4th respondent also, notice to the 4th respondent is dispensed with.

3. According to the petitioner, the 4th respondent originally belonged to Scheduled Caste Community and thereafter, she converted herself to Christianity and hence, she cannot claim the benefits of reservation given for the Scheduled Caste. Therefore, he made a representation dated 15.12.2023, to the respondents 1 to 3 to scrutinize the community certificate issued to the 4th Respondent as Schedule Caste in No. 154997 issued by the Tahsildar, Palayamkottai, dated 26.06.2000, and to cancel the same, but till now no order has been passed. Hence, the Writ Petition.

4. According to the learned counsel for the petitioner, though the petitioner has sought for a larger relief, he would be satisfied if a direction is issued to the 1st respondent to consider the representation of the petitioner dated 15.12.2023 on merits and in accordance with law.



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5. Considering the limited scope of the prayer now sought for by the petitioner, without going into the merits of the claim made by the petitioner either in the Writ Petition or in the representation, this Court directs the 1st respondent to consider the representation of the petitioner dated 15.12.2023 and pass appropriate orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order, after conducting enquiry as per the guidelines issued by the Government and providing opportunity of hearing to the petitioner and the fourth respondent.

6. With the aforesaid directions, the Writ Petition stands disposed of.

No costs.

[D.K.K., J.] [R.V., J.]
21.02.2024

Index : Yes / No
Internet : Yes / No
SJ

To

1. The District Collector / Chairman,
District Level Vigilance Committee to Scrutinize the Community Certificates,
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Tirunelveli District.



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- 2.The District Adi Dravidar and Tribal Welfare Officer /
Member Secretary,
District Level Vigilance Committee to Scrutinize
the Community Certificate,
Office of the District Adi Dravidar and Tribal Welfare Officer,
Tirunelveli,
Tirunelveli District.
- 3.The Revenue Divisional Officer,
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