



W.P(MD)No.8856 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.04.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SURESH KUMAR
and
THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN**

W.P(MD)No.8856 of 2024

Ruban Ashok Kumar

... Petitioner

VS.

1.The Revenue Divisional Officer,
Dindigul,
Dindigul District.

2.The Tahsildar,
Dindigul West Taluk,
Dindigul District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the second respondent to consider the petitioner's application No.TN-5202402087528, dated 08.02.2024 to issue Muslim Lebbai Community Certificate to his son, namely Eben Zacchariah in the light of G.O.Ms.No.8, Backward Classes, Most Backward Classes and Minorities Welfare (BCC) Department, dated 09.02.2021.

For Petitioner

: Mr.T.Lenin Kumar

For Respondents

: Mr.S.Shaji Bino
Special Government Pleader

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ORDER

(Order of the Court was made by R.SURESH KUMAR, J.)

The prayer sought for herein is to direct the second respondent to consider the petitioner's application No.TN-5202402087714, dated 08.02.2024 to issue a Muslim Lebbai Community Certificate to his son, namely Eben Zacchariah in the light of G.O.Ms.No.8, Backward Classes, Most Backward Classes and Minorities Welfare (BCC) Department, dated 09.02.2021.

2.The petitioner seeks for a Writ of Mandamus, to consider the application submitted by him, dated 08.02.2024, to the second respondent seeking Community Certificate for his son.

3.Heard Mr.S.Shaji Bino, learned Special Government Pleader appearing for the respondents.

4.Though the learned Special Government Pleader has relied upon a written instruction given by the second respondent, dated 05.04.2024 and would submit that for the reasons stated in the said



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instruction, the application cannot be considered and the certificate sought for by him cannot be granted, we feel that, at this stage, the petitioner has sought for only a Mandamus to consider the application and to pass orders on merits and in accordance with law, without expressing any view about the said instruction given by the second respondent, we are of the view that this Writ Petition can be disposed of with the following direction:

That there shall be a direction to the second respondent to consider the application of the petitioner, dated 08.02.2024 and decide the same and pass orders thereon, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

5. With this direction, the Writ Petition is disposed of. However, there shall be no order as to costs.

[R.S.K.,J.] [G.A.M.,J.]
10.04.2024
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NCC : Yes / No
Index : Yes / No

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To

- 1.The Revenue Divisional Officer,
Dindigul,
Dindigul District.
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Dindigul West Taluk,
Dindigul District.



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R.SURESH KUMAR,J.
and
G.ARUL MURUGAN,J.

ps

ORDER MADE IN
W.P(MD)No.8856 of 2024

DATED : 10.04.2024
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