



WP(MD). No.26814 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 12.11.2024

CORAM

THE HONOURABLE MR.JUSTICE M.S. RAMESH
AND
THE HONOURABLE Dr.JUSTICE A.D.MARIA CLETE

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Subramani

... Petitioner

Vs

**1. The District Collector
Office of the District Collector
Dindigul District**

**2. The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Palani, Dindigul District**

**3. The Tahsildar,
Office of the Tahsildar
Vedasandoor Taluk,Dindigul District**

**4. The Revenue Inspector
Office of the Revenue Inspector
Vadamadurai, Dindigul District**

**5.The Village Administrative Officer,
Office of the Village Administrative Officer,
Pilath Village, Pilath Post
Vedasandur Taluk
Dindigul District**

... Respondents

1/6



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PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2nd and 3rd respondents to issue community certificate in the name of HINDU MALAIVEDAN community in favour of the petitioner's daughter Nathiya vide application No.TN5202410235990 and also in favour of his son Sakthi vide application No.TN5202410236023 dated 23.10.2024 based on the petitioner's representation dated 19.09.2024 within the time stipulated by this Court.

For Petitioner : Mr.T.Manikannan
For Respondents : Mr.J.Ashok
Additional Government Pleader

ORDER

(Order of the Court was made by M.S.RAMESH,J.)

By consent of both sides, the writ petition itself is taken up for final disposal at the stage of admission itself.

2. This writ petition has been filed for a mandamus to direct the 2nd and 3rd respondents to issue community certificate in the name of HINDU MALAIVEDAN community in favour of the petitioner's daughter



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Nathiya vide application No.TN5202410235990 and also in favour of his son Sakthi vide application No.TN5202410236023 dated 23.10.2024 based on the petitioner's representation dated 19.09.2024 within the time stipulated by this Court.

3. The petitioner herein had given a representation to the respondents 1 to 4 on 19.09.2024 for issuance of community certificates to his daughter and son. Since the said representation was not considered, the present writ petition has been filed.

4. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of the India and direct them to consider the same within a stipulated time.



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5. In the light of the above observations, there shall be a direction to the respondents 2 and 3 herein to consider the petitioner's representation dated 19.09.2024, if it is not already disposed of, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, within a period of four weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the concerned respondents to consider the same on its own merits.

6. With the above direction, the Writ Petition stands disposed of.

No costs.

[M.S.R.,J]

[A.D.M.C.,J]

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Index : Yes / No

Internet : Yes

RR



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