



W.P(MD)No.28297 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.07.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.28297 of 2023

Jayamani Venugopal

... Petitioner

Vs.

1.The Commissioner for Rehabilitation and
Welfare of Non-Resident Tamils,
4th Floor, Ezhilagam Annex Building,
Chepauk, Chennai – 600 005.

2.The District Collector,
Collectorate, GST Road,
Chengalpattu – 603 001.

3.The Regional Special Deputy Collector,
Refugee Camp,
Kottapattu,
Tiruchirappalli – 620 023.

4.The Tahsildar,
Thandalam,
Thiruporur,
Chegalpattu – 603 105.

5.The Regional Passport Officer,
Chennai Royala Towers,
No.2 and 3, IV Floor,
Old No.785, New No.158,
Anna Salai, Chennai – 600 002.

... Respondents



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Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records in the Certificate issued vide Rc.A1/35/2021 dated 15.04.2021 on the file of Respondent No.3 and quash the same and to consequently direct Respondent No.3 to issue a fresh certificate in accordance with the certificate issued by Respondent No.4 vide Office Memorandum No. 05/2021/A5 dated 06.01.2021.

For Petitioner : Mr.I.Roomeo Roy Alfred

For Respondents : Mr.D.Sasi Kumar
Additional Government Pleader
for R.1 to R.4

Mr.K.Govindarajan
Additional Solicitor General of India
for R.5

ORDER

Heard both sides.

2.The petitioner was born in Sri Lanka in the year 1961. The petitioner got married to one Venugopal in the year 1978. Both were living in Sri Lanka. The petitioner as well as her husband returned to India as repatriates under Indo-Ceylon Agreement, 1964. The Tahsildar, Thiruporur had issued certificate in favour of the



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petitioner on 06.01.2021 stating that the petitioner is a repatriated citizen of India. The genuineness of the certificate is beyond dispute. While so, clarification was required regarding some entry made in the petitioner's passport. The petitioner was a resident of Sri Lanka camp at Kottapattu at Tiruchirappalli District from December 1990 to 31.10.2006. When the petitioner approached the Regional Special Deputy Collector of the camp, the impugned certificate was issued on 15.04.2021. In that certificate, the petitioner had been described as a Sri Lankan refugee. The case of the petitioner is that she is not a Sri Lankan refugee but an Indian repatriate from Sri Lanka. The misdescription of the certificate has serious civil consequences for the petitioner. Hence, the present writ petition came to be filed.

3.Since Tahsildar, Thiruporur had issued certificate in favour of the petitioner describing her as Indian citizen and the certificate is still holding good, the impugned certificate issued by the Regional Special Deputy Collector, Refugee camp, Kottapattu warrants modification. The impugned certificate is quashed.

4.The third respondent is directed to issue a fresh certificate certifying that the petitioner is a repatriated citizen of India who was an



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inmate of the refugee camp, Kottapattu, Tiruchirappalli District bearing Admission No.1220/1990 during the period from December 1990 to 31.10.2006. Such certificate shall be issued forthwith and without any delay.

5.This writ petition is allowed accordingly. There shall be no order as to costs.

23.07.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
MGA

To

- 1.The Commissioner for Rehabilitation and Welfare of Non-Resident Tamils,
4th Floor, Ezhilagam Annex Building,
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- 3.The Regional Special Deputy Collector,
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4.The Tahsildar,
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G.R.SWAMINATHAN,J.

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