



WEB COPY

W.P.No.1153 etc, batch of 2



THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.Nos. 1153, 1158 & 1162 of 2025
and
W.M.P.Nos. 1396, 1398, 1391 & 1393 of 2025

E.Sathish Krishna ...Petitioner in W.P.No.1153 of 2025

P.Manoj Kumar ...Petitioner in W.P.No.1158 of 2025

1.M.A.Tamilselvan

2.M.A.Ellammal ... Petitioners in W.P.No.1162 of 2025

Vs.

1.The District Collector,
Tiruvallur District,
Tiruvallur.

2.The Revenue Divisional Officer,
Tiruttani,
Tiruvallur District.

...Respondents in all petitions



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Common Prayer: Writ Petitions filed under 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the order of cancellation of community certifiante of the petitioners in Na.Ka.No.J3/3196/2020 dated 10.10.2024 on the file of the 1st respondent and quash the same.

For Petitioners : Mr.S.Doraiswamy in all WPs'

For Respondents : Mr.P.Kumaresan

Additional Advocate General assisted by

Mr.Vadivelu Deenadayalan

Additional Government Pleader in all WPs

COMMON ORDER

(Order of the Court was delivered by ***R.SUBRAMANIAN, J.***)

Challenge in all these Writ Petitions is to the order of the District Collector, Tiruvallur dated 10.10.2024, cancelling the community certificate issued to the petitioners, certifying that they belong to the scheduled tribe community called "Konda Reddy".

2. As per the directions issued by the Hon'ble Supreme Court in ***Kumari Madhuri Patil Vs. Additional Commissioner*** reported in ***1994 (6)***



SCC 241, it is the State Level Scrutiny Committee which will have to determine the genuineness or otherwise of the community certificates, particularly, community certificates certifying that a person belongs to Scheduled Tribe community.

3. The Government has issued a Government Order in G.O.(2D)No.108 Adi Dravidar and Tribal Welfare (CV-I) Department dated 12.09.2007, setting out the procedure and also constituting the District Level Vigilance Committee and State Level Scrutiny Committee as well as defining their functions. In the said Government Order also the power of cancellation is vested only in the State Level Committee.

4. A Division Bench of this Court in ***V.P.Umapathy and Others Vs. The District Collector, Tiruvallur District and Another*** has, by its order dated 13.11.2024 quashed some orders passed by the District Collector, Tiruvallur and granted liberty to the State Level Scrutiny Committee to take appropriate proceedings as per the guidelines prescribed in the manner known to law.



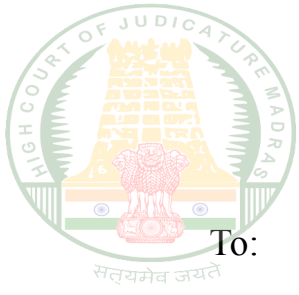
5. In view of the same, all these Writ Petitions will stand **allowed**, the order of the District Collector impugned in the Writ Petitions will stand quashed. Liberty is reserved to the Government to take appropriate action as per law. No costs. The petition filed under Rule 15 of the Madras High Court Writ Rules, 2021 will stand allowed and the other connected miscellaneous petitions are closed.

(R.S.M., J.) (C.K., J.)
21.01.2025

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Index: No
Speaking
Neutral Citation : No

Note: Issue order copy on 23.01.2025.



To:

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Tiruvallur District,
Tiruvallur.
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