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WP NO. 23702 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **02-07-2025**

CORAM

THE HONOURABLE MRS JUSTICE J. NISHA BANU

AND

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

WP No. 23702 of 2025

A.Anbarasu

S/o. Annamalai, Door No.3/98 A, Kattinayanapalli
Village, Krisnagiri-635001,

..Petitioner(s)

Vs

1.The State Of Tamilnadu

By The Secretary To Government Of Tamil Nadu
Revenue Department, Fort St. George, Chennai-600
007.

2. The District Collector
Krisnagiri District

3. Tahsildar,
Krishnagiri District.

..Respondent(s)

Prayer: Writ Petition filed under Section 226 of the Constitution of India, praying this court to issue a Writ of Certiorarified Mandamus calling for the records relating to order passed in O.Mu.5656/2024/AA3 dated 05.12.2024 on the file of the 3rd Respondent and quash the same and consequently direct the 3rd Respondent to "No Caste No Religion" to Master A.Kishore, the son of the Petitioner, and Miss A.Keerthana, the daughter of the Petitioner and thus render



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For Petitioner

: M/s. Shanmitha.S

For Respondents

: Mr.R.Kumaravel, AGP

ORDER

(Order of the Court was made by J.NISHA BANU, J.)

The Writ Petition has been filed praying for Certiorarified Mandamus calling for the records relating to order passed in O.Mu.5656/2024/AA3 dated 05.12.2024 on the file of the 3rd Respondent and quash the same and consequently direct the 3rd Respondent to issue "No Caste No Religion" to Master A.Kishore, the son of the Petitioner, and Miss A.Keerthana, the daughter of the Petitioner.

2. The case of the Petitioner is that he belongs to Adi Dravidar Community but is raising his children without affiliation to any caste or religion. The application for the certificates was made on 12.11.2024 before the 3rd Respondent for issuance of "No Caste and No Religion" Certificate and the same got rejected on 05.12.2024, citing lack of legal provision. It is also asserted that such certificates have been previously issued by the Tamil Nadu Government, and its circulars allow leaving caste/religion columns blank in



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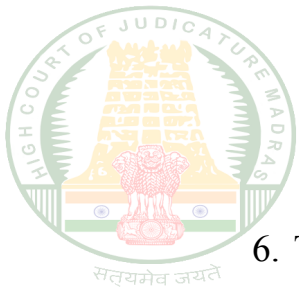
official records creating legitimate expectation.

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3. The learned counsel for the petitioner argues that the rejection violates various fundamental rights under the Constitution of India, including Article 14 (Right to Equality), Article 19(1)(a) (Freedom of Expression), Article 21 (Right to Privacy), and Article 25 (Freedom of Religion, including the right not to practice any religion) and added that the decision violates principles of natural justice and the Wednesbury reasonableness principle, as it lacks proper justification. Hence, prayed for quashing the rejection order and sought directions to the Respondent to issue the requested "No Caste and No Religion" Certificate .

4. Per contra, the learned Additional Government Pleader appearing for the respondent submitted that there is no provision or guideline authorizing the Tahsildar to issue such a certificate. He would further submit that three months time may be granted to consider the matter and pass orders.

5. Heard the learned counsel for the Petitioner as well as Respondents and perused the records.



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6. This court is of the view that issuance of a "No Caste, No Religion"

Certificate to a citizen who genuinely chooses to not identify with any caste or religion squarely falls within the framework of constitutional morality and justice. It is also not the case where the petitioner's application seeks for any benefit, exemption or reservation for his children, but merely a recognition of their personal liberty or conscience.

7. This Court in the case of ***H.Santhosh Vs. District Collector and others*** in *W.A.No.401 of 2025 vide order dated 10.06.2025*, held that Article 25 of the Indian Constitution guarantees freedom of religion to all individuals, by holding that every person has the right to freely profess, practice and propagate their religion. The Division Bench of this Court, in the above case also held that the State would be under a constitutional obligation to implement the intention and object of Article 25.

8. In the above cited decision, the Division Bench of this court, held that the Revenue Authorities cannot wriggle out of the Constitutional obligation by quoting the absence of any particular Rule or Government Order to that effect. This court while setting aside the writ court order passed in W.P.No.1290 of



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2024 dated 22.01.2024, directed the District Collector and Tahsildar to entertain the representation for issuance of “No Caste No Religion” certificate.

9. Therefore, in light of the above decision dated 10.06.2025 in the case of *H.Santhosh Vs. The District Collector, Thirupathur District and others*, we hold that there exists both legal permissibility and administrative feasibility for issuance of such certificates. In view of the same, it is urged that this practice be administratively institutionalized through appropriate government orders or circulars, and that the revenue authorities be empowered and encouraged to issue such certificates to applicants with bonafide intent, thereby giving effect to constitutional idealism of secularism, equality and personal liberty.

10. For the reasons stated above, the order passed by the 3rd Respondent vide order dated 05.12.2024 is hereby set aside and there shall be a direction to the 3rd respondent to issue "No Caste, No Religion" Certificate to the petitioner's children within the period of and thereby the the Writ Petition stands allowed. No costs.

(J.NISHA BANU J.) (M.JOTHIRAMAN J.)
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nvsri



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**J. NISHA BANU, J.
AND
M.JOTHIRAMAN, J.**

nvsri

To

1.The Secretary To Government Of Tamil Nadu Revenue
Department, Fort St. George, Chennai-600 007.

2. The District Collector
Krisnagiri District

3. Tahsildar,
Krisnagiri District.

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