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W.P.No.6184 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.11.2025

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.6184 of 2024
and
W.M.P.No.6846 of 2024

Krishna Priya.P.V.

... Petitioner

Vs.

- 1.The Union of India,
Rep. by its Special Secretary to Government, District Collector,
Department of Revenue and Disaster Management,
Government of Union Territory of Puducherry, Puducherry.
- 2.The Director, Government of Puducherry,
Directorate of Health Service, Puducherry.
- 3.The Deputy Tahsildar, Mahe, Puducherry.
- 4.Village Administrative Officer,
Palloor, Mahe, Puducherry.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, to call for records of impugned order dt. 01.03.2024 in Ref.No.260/STOM/T3/2024/55 on the file of third respondent and to quash the same and consequently direct the third respondent to furnish Residence Certificate and consequent Caste Certificate to the petitioner on or before 08.03.2024 or subsequently extended period by the authorized concern.



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For Petitioner : Mr.J.R.K.Bhavanantham

For Respondents : Mr.J.Kumaran
Additional Government Pleader
(Puducherry)

ORDER

This Writ Petition has been filed seeking a Writ of Certiorarified Mandamus, to call for the records of the impugned order, dated 01.03.2024 in Ref.No.260/STOM/T3/2024/55 on the file of 3rd respondent and to quash the same and consequently, to direct the 3rd respondent to furnish Residence Certificate and consequent Caste Certificate to the petitioner on or before 08.03.2024 or subsequently extended period by the authorized concern.

2. It is the case of the petitioner that she had applied for issuance of Residential or Nativity Certificate before the 3rd respondent on 27.02.2024. However, the 3rd respondent has passed the impugned order dated 01.03.2024, rejecting the petitioner's application on the ground that she is not the resident of Mahe Region. Challenging the same, the petitioner has filed this writ petition before this Court.



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3. Learned counsel for the petitioner submits that the petitioner was born on 23.11.1993 in General Hospital, Thalassery, Kerala, and thereafter, she moved along with her parents for educational purpose to Mahe, Puducherry and has continuously pursued her education upto the level of B.Sc. Nursing. However, ignoring all those facts, the 3rd respondent has rejected the petitioner's application seeking issuance of a Residence Certificate, which is wholly unsustainable and the same is liable to be interfered with. Accordingly, he prays for allowing this writ petition.

4. Learned Additional Government Pleader appearing for the respondents, by relying on the counter filed by the respondents, submitted that as per G.O.Ms.No.48, Revenue Department, Puducherry, dated 12.12.2002, the applicant should have been born in the Union Territory of Puducherry and should have been ordinarily residing in the Union Territory of Puducherry prior to the date of application. As the petitioner was not born in the Union Territory of Puducherry, she is not eligible for the Nativity Certificate, thereby, the 3rd respondent had rejected the petitioner's application, which does not require any interference. Accordingly, he prays for dismissal of this writ petition.



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5. Heard both sides and perused the materials available on record.

6. As seen from the impugned order, the 3rd respondent has rejected the petitioner's application seeking issuance of Residence Certificate merely on the basis of discreet field enquiry. Apart from that, no reasons have been given by the 3rd respondent for rejecting the application. Hence, the impugned order is a non-speaking order, and on that score, necessarily, the impugned order will have to be quashed and the matter will have to be remanded to the 3rd respondent for fresh consideration on merits and in accordance with law on the petitioner's application, dated 01.03.2024 seeking for issuance of Residence Certificate.

7. Accordingly, the impugned order passed by the 3rd respondent, dated 01.03.2024 is hereby quashed and the matter is remanded to the 3rd respondent for fresh consideration of the petitioner's application, dated 01.03.2024 seeking issuance of Residence Certificate. The petitioner is permitted to produce all the documents before the 3rd respondent and while re-considering the petitioner's application, the 3rd respondent shall



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consider all the documents to be filed by the petitioner and thereafter, pass appropriate orders, on merits and in accordance with law, as expeditiously as possible.

8. With the aforesaid directions, this Writ Petition is disposed of.

No costs. Consequently, the connected miscellaneous petition is closed.

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Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation Case : Yes/No

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To

1.The Special Secretary to Government, District Collector,
Department of Revenue and Disaster Management,
Government of Union Territory of Puducherry, Puducherry.

2.The Director, Government of Puducherry,
Directorate of Health Service, Puducherry.

3.The Deputy Tahsildar, Mahe, Puducherry.

4.The Village Administrative Officer,
Palloor, Mahe, Puducherry.



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M.DHANDAPANI, J.

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