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W.P.Nos.10690 & 10695 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2025

CORAM
THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE K.RAJASEKAR

W.P.Nos.10690 & 10695 of 2025
and
W.M.P.Nos.12048 & 12052 of 2025

M.Karthikeyan

.. Petitioner in both WPs

Vs.

The Revenue Divisional Officer,
Revenue Divisional Office,
Tiruvannamalai Division,
Tiruvannamalai District.

... Respondents in both WPs

Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India to issue a writ of Certiorarified mandamus, calling for the records relating to the rejection order of the respondent in application nos.TN-5202502015570 & TN-5202502015139 on the file of the respondent and quash the same and consequently direct the respondent to issue Kattunayakan Community Certificate to the petitioners sons namely Mogan and Sanjeevan.

(in both WPs)



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For Petitioner : Mr.M.Antony Jesurajan

For Respondent : Mr.Vadivelu Deenadayalan
Additional Government Pleader

COMMON ORDER

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

The online rejection orders rejecting the applications submitted by the petitioner seeking community certificate as Scheduled Tribe Community are under challenge in the present writ proceedings.

2. The petitioner claims that he belongs to Hindu Kattunayakan Scheduled Tribe Community. Wife of the petitioner discontinued 10th standard and his two children studying in Panchayat Union Primary School at Zameen Gudalore, Tiruvannamalai District. The petitioner submitted applications on 01.02.2025, seeking community certificate for his two sons through online portal. The said applications were rejected by the Revenue Divisional Officer on the ground that the Village Administrative Officer, Revenue Inspector and the Tahsildar has submitted a report stating that there is no proper document to prove that the petitioner belongs to Scheduled Tribe Community. Taking note of the reports of the Village Administrative Officer,



Revenue Inspector and Tahsildar, the applications were rejected.

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3. If at all the petitioner is aggrieved, he has to approach the appellate Authority for further enquiry. High Court cannot adjudicate disputed facts relating to community of a person and form an opinion that the person belongs to Scheduled Tribe Community or otherwise. Thus, it require an elaborate enquiry with reference to lifestyle, anthropology, character of the community, habits etc., All such factors are to be ascertained and to be established by the person who seeks community certificate that he / she belongs to Scheduled Tribe Community.

4. Therefore, the petitioner is at liberty to approach the appellate authority for adjudication of issues on merits and in accordance with law. The appellate authority in the event of receiving any appeal from the petitioner shall adjudicate the issues by affording opportunity to all the parties and ascertain the community of the person with reference to the criteria fixed by the Government and relating to other factors.

5. Manual on Scheduled Caste / Scheduled Tribe community issued by the Government reveals that in respect of a persons belonging to “Kattunayakan” and “Malakuravan” production of documentary evidences



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such as sale deed etc., need not be insisted upon. The caste certificate shall be issued to genuine persons belonging to said community based on the report of Revenue Inspectors and to the satisfaction of the enquiry officer that the claim of the appellant that he belongs to the community claim is genuine through local enquiry.

6. In the present case, based on the local enquiry, applications were rejected. If at all the petitioner is aggrieved, he is at liberty to approach the competent appellate Authority. The appellate authority, if finds, there is no documentary evidences produced by the petitioner for the purpose of establishing his community, the final option left open to the petitioner is to approach the civil Court seeking a declaratory relief by establishing his community through documents and evidences in the manner known to law. In any event, High Court in exercise of the powers of judicial review under Article 226 of the Constitution of India cannot conduct a roving enquiry to find out whether a person belongs to a particular community or otherwise. Such an endeavour is to be undertaken by the Authorities at the first instance and in the event of not arriving any conclusion, the parties have to approach the civil Court for the purpose of any declaratory relief which would be appropriate and the civil Court will be in a position to conduct a trial, record



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evidence and grant relief, if such persons is otherwise eligible for any declaratory relief or any other consequential relief, as the case may be.

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With the above observations, both the Writ Petitions stand **dismissed**.

No costs. Consequently, connected miscellaneous petitions are closed.

[S.M.S,J.] [K.R.S,J.]

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Index:Yes/No

Speaking order/Non-speaking order

Neutral Citation:Yes/No

To
The Revenue Divisional Officer,
Revenue Divisional Office,
Tiruvannamalai Division,
Tiruvannamalai District.



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