



W.P.No.20669 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 11.06.2025

C O R A M

THE HONOURABLE MRS.JUSTICE J.NISHA BANU
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

W.P.No.20669 of 2025 and
W.M.P.No.23305 of 2025

G.R.Prakash

... Petitioner

-VS-

1. The Tamil Nadu State Level Scrutiny Committee,
Adi Dravidar and Tribal Welfare Department,
Namakkal Kavingar Maligai, Secretariat,
Chennai-600 009.
Rep. by its Chairman

2. The Deputy Superintendent of Police,
Social Justice and Human Rights,
SC/ST Vigilance Cell,
M.K.N.Road, Alandur,
Chennai – 16.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the enquiry notice in Na.Ka.No.32/DSP/SJ&HR/SC-ST/VC/Chennai/2017 dated NIL on the file of the 2nd respondent, quash the same and forbearing the respondents or any of their agency from verifying the community certificate of the petitioner in view of the community certificate of the petitioner already verified by the District Level Vigilance Committee in Proceedings No.P4/30383/2002 dated 26.12.2002 as per the



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dictum laid down by the Apex Court in the case of J.Chitra vs. District Collector reported in 2021 (9) SCC 811.

For Petitioner : Mr.S.Doraisamy
For Respondents : Mr.R.Kumaravel
Addl. Govt. Pleader

ORDER

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

Mr.R.Kumaravel, learned Additional Government Pleader takes notice for the respondents. By consent of both sides, the writ petition itself is taken up for final disposal at the stage of admission itself.

2. This writ petition has been filed, challenging the impugned Enquiry Notice dated NIL made in Na.Ka.No.32/DSP/SJ&HR/SC-ST/VC/Chennai/2017 by the 2nd respondent, by which the petitioner was asked for appear for enquiry on 04.06.2025. The petitioner also sought to forbear the respondents or any of their agency from verifying the community certificate of the petitioner for the second time, as it was already verified by the District Level Vigilance Committee as early as on dated 26.12.2002 vide Proceedings No.P4/30383/2002.

3. The case of the petitioner is that he belongs to Konda Reddis



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community, which is classified as Scheduled Tribe (ST) under the Constitution Scheduled Tribes Order, 1950 as per the certificate issued by the Tahsildar, Purasaiwalkam-Perambur on 20.03.1989 in CC/2407/89. Subsequently, he was selected and appointed as Junior Engineer Grade-II in the Railways Department. After selection to the post of Junior Engineer, his certificate was referred to the District Level Vigilance committee to verify the genuineness of the certificate. The Committee headed by the District Collector, after thorough enquiry, confirmed that the certificate of the petitioner is genuine. At present, the petitioner has been working as Senior Section Engineer at Egmore.

4. While so, the 2nd respondent visited the office of the petitioner and served an Enquiry Notice dated 04.06.2025, calling upon him to appear for enquiry on the very same day. Aggrieved by the said enquiry notice, the petitioner is before this Court, seeking to quash the same.

5. Learned counsel appearing for the petitioner submitted that when the genuineness of the petitioner's community certificate as belonging



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to the Konda Reddis Scheduled Tribe Community was confirmed by the then competent authority i.e. District Collector as early as on 26.12.2002, the second respondent could not reopen the issue after a lapse of more than two decades. Learned counsel for the petitioner relying on the judgment of the Hon'ble Supreme Court in the case of **J.Chitra Vs. District Collector and Chairman, State Level Vigilance Committee, Tamil Nadu and Others** reported in **(2021) 9 SCC 811**, submitted that there cannot be repeated verification of the community certificate, particularly when the confirmation order of the District Collector dated 26.12.2002 remained unchallenged.

6. Mr.R.Kumaravel, learned Additional Government Pleader contended that the petitioner was just called for enquiry to ascertain the genuineness of the community certificate produced by him at the time of joining service. No prejudice will be caused to the petitioner by verifying his community certificate for the second time and he may cooperate for the conduct of the enquiry.

7. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents and perused



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the materials available on record.

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8. The short point for consideration involved in this case is whether the 2nd respondent could reopen the verification of the community certificate of the petitioner, while the earlier District Level Vigilance Committee headed by the Collector confirming the genuineness of the caste certificate remains unchallenged. It is seen that at the instance of the employer initially, the community certificate of the petitioner was put to test, wherein it was concluded by the District Level Vigilance Committee that the certificate produced by the petitioner is genuine. The Apex Court in the case of *J.Chitra Vs. District Collector and Chairman, State Level Vigilance Committee, Tamil Nadu and Others* reported in *(2021) 9 SCC 811* deprecated the practice of reopening of enquiry into caste certificates, by holding as under:

“8. In the instant case, an inquiry was conducted by the District Level Vigilance Committee which has upheld the community certificate in favour of the Appellant. The decision of the District Level Vigilance Committee in the year 1999 has not been challenged in any forum. The recognition of the community certificate issued in favour of the Appellant by the District Vigilance Committee having become final, the State Level Scrutiny Committee did not have jurisdiction to reopen



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the matter and remand for fresh consideration by the District Level Vigilance Committee. The guidelines issued by G.O.108 dated 12.09.2007 do not permit the State Level Scrutiny Committee to reopen cases which have become final. The purpose of verification of caste certificates by Scrutiny Committees is to avoid false and bogus claims. Repeated inquiries for verification of caste certificates would be detrimental to the members of Scheduled Castes and 13 | P a g e Scheduled Tribes. Reopening of inquiry into caste certificates can be only in case they are vitiated by fraud or when they were issued without proper inquiry.”

9. By heavily relying upon the aforesaid judgment of the Supreme Court, it is represented by the learned counsel for the petitioner that the petitioner had already obtained community certificates for his children. Once the genuineness of the caste certificate of the petitioner was confirmed by the Competent Committee, even the children of the petitioner will be automatically entitled to the same status, as per the dictum laid down in the judgment of the Apex Court (supra), which has been followed by a Division Bench of this Court in W.P.No.38311 of 2024 dated 18.12.2024.

10. The judgment rendered by the Supreme Court in **Chitra's case** squarely applies to the case on hand and the said judgment has been followed by one of us (JNBJ), while hearing a similar issue in W.P.No.6331 of 2020. Therefore, we are of the view that the 2nd respondent has no jurisdiction to embark on a second enquiry into the community status of the



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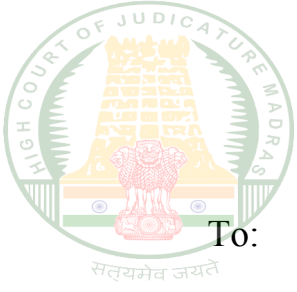
petitioner and the impugned order dated NIL of the second respondent is
liable to be set aside.

11. Accordingly, the Writ Petition is allowed. The impugned Enquiry Notice dated NIL of the 2nd respondent passed in Na.Ka.No.32/DSP/SJ&HR/SC-ST/VC/Chennai/2017 is hereby set aside. No costs. Consequently, connected miscellaneous petition is closed.

(J.N.B.J.) (M.J.R,J.)
11.06.2025

Index: Yes / No
Internet: Yes / No
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J.NISHA BANU, J.
AND
M.JOTHIRAMAN, J.
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To:

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