



W.P.No.24168 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 03.07.2025**

C O R A M

**THE HONOURABLE MRS.JUSTICE J.NISHA BANU**

**AND**

**THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

**W.P.No.24168 of 2025 and**

**W.M.P.No.27195 of 2025**

V.Ramasamy

... Petitioner

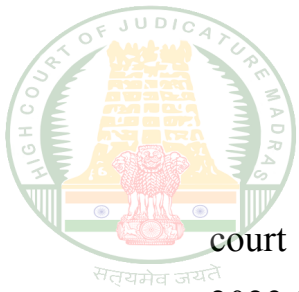
-VS-

1. The State Level Scrutiny Committee-III  
Rep. by its Member Secretary,  
Adi Dravidar and Tribal Welfare Department,  
Fort St.George, Secretariat,  
Chennai-600 009.

2. The Deputy Superintendent of Police,  
SC/ST Vigilance Cell,  
Salem Region, Collector's Office Complex,  
Salem-1

... 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 proceedings bearing Na.Ka.No.26/Kaa.Thu.Ka/SC/ST Vigilance Cell/Salem Region/2023 dated 27.05.2025 of the second respondent and consequential communication of the first respondent bearing notice No.767/Sa.Mey-6(2)/2018-6 dated 30.05.2025 and quash the orders passed therein and consequentially forbear the respondents from causing verification of the petitioner's community certificate certificate in view of the law laid down by the Hon'ble Supreme



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court in R.Sundaram vs. Tamil Nadu State Scrutiny Committee, reported in 2023 SCC Online SC 287 (para 16).

For Petitioner : M/s.V.J.Latha

For R1 : Mr.R.Kumaravel  
Addl. Govt. Pleader

For R2 : Mr.Babu Muthumeeran  
Addl. Public Prosecutor

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### **ORDER**

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

This writ petition has been filed, challenging the impugned proceedings bearing Na.Ka.No.26/ Kaa.Thu.Ka/SC/ST Vigilance Cell/Salem Region/2023 dated 27.05.2025 of the second respondent and consequential communication of the first respondent bearing notice No.767/Sa.Mey-6(2)/2018-6 dated 30.05.2025. The petitioner also sought to forbear the respondents from causing verification of the petitioner's community certificate certificate in view of the law laid down by the Hon'ble Supreme court in R.Sundaram vs. Tamil Nadu State Scrutiny Committee, reported in 2023 SCC Online SC 287 (para 16).

2. Mr.R.Kumaravel, learned Additional Government Pleader takes notice for the 1<sup>st</sup> respondent. By consent of both sides, the writ petition



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itself is taken up for final disposal at the stage of admission itself.

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3. The case of the petitioner is that he belongs to Konda Reddis community, which is classified as Scheduled Tribe (ST) under the Constitution Scheduled Tribes Order, 1950 as per the certificate issued by the Tahsildar on 13.06.1988. Subsequently, he was selected and appointed as a Clerk in Bank of Baroda, Nambiyur Branch. Since his community certificate was not acted upon, he filed W.P.No.8174 of 1989 and pursuant to the favourable order, the petitioner joined service on 08.01.1990. Even thereafter, an adverse order came to be passed by the 1<sup>st</sup> respondent, which was questioned before this Court in W.P.No.30215 of 2017 and the same was allowed in his favour. Now, all of a sudden, based on the report of the 2<sup>nd</sup> respondent, an impugned communication dated 30.05.2025 has been received from the 1<sup>st</sup> respondent, calling for an explanation on the report. The petitioner is due to retire on 30.06.2017 and conducting enquiry on the community certificate after a lapse of 37 years is uncalled for.

4. Learned counsel appearing for the petitioner submitted that when the issue in respect of genuineness of the petitioner's community



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certificate as belonging to the Konda Reddis Scheduled Tribe Community was decided on two occasions by this Court, the respondents could not reopen the issue after a lapse of more than three decades. Learned counsel for the petitioner relying on the judgments of this Court in the case of **R.Nithyapriya vs. Revenue Divisional Officer, Villupuram, reported in ILR (1998) 1 Madras 468** and the Hon'ble Supreme Court in **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.

5. 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 once again and he may cooperate for the conduct of the enquiry.

6. 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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7. The short point for consideration involved in this case is whether the 2<sup>nd</sup> respondent, having kept silent all along, could reopen the verification of the community certificate of the petitioner, when this Court had quashed the conduct of enquiry on earlier occasions. 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 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



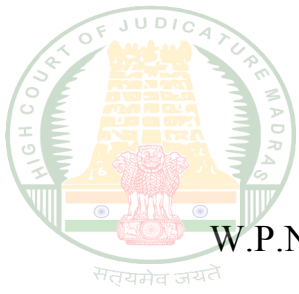
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Committee to reopen cases which have become final. The purpose of verification of caste certificates by Scrutiny Committees is to avoid false and bogus claims. Repeated inquiries for verification of caste certificates would be detrimental to the members of Scheduled Castes and 13 | Page 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.”

8. According to the petitioner, he had produced 40 documents in support of his claim and some of the documents are pre-independence documents of the years 1910, 1935, 1937, 1942 and 1947. By heavily relying upon the judgment of this Court in ***R.Nithyapriya's case (supra)***, it is represented by the learned counsel for the petitioner that pre-independence documents, which came into existence prior to Presidential Notification dated 01.05.1976 cannot be rejected by the Revenue Officials. It is further represented that once the genuineness of the caste certificate was confirmed, 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



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W.P.No.38311 of 2024 dated 18.12.2024.

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9. 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. Moreover, the petitioner is at the fag end of retirement and the conduct of enquiry at the distant point of time would be detrimental to the interest of the petitioner. Therefore, we are of the view that the 2<sup>nd</sup> respondent has no jurisdiction to embark on further enquiry into the community status of the petitioner. The impugned proceedings bearing Na.Ka.No.26/ Kaa.Thu.Ka/SC/ST Vigilance Cell/Salem Region/2023 dated 27.05.2025 of the second respondent and the consequential communication of the first respondent bearing Notice No.767/Sa.Mey-6(2)/2018-6 dated 30.05.2025 are liable to be set aside.

10. Accordingly, the Writ Petition is allowed. The impugned proceedings bearing Na.Ka.No.26/ Kaa.Thu.Ka/SC/ST Vigilance

**J.NISHA BANU, J.**

**AND**

**M.JOTHIRAMAN, J.**



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Cell/Salem Region/2023 dated 27.05.2025 of the second respondent and consequential communication of the first respondent bearing notice No.767/Sa.Mey-6(2)/2018-6 dated 30.05.2025 are hereby set aside. No costs. Consequently, connected miscellaneous petition is closed.

**(J.N.B.J.,) (M.J.R,J.,)**  
**03.07.2025**

Index: Yes / No  
Internet: Yes / No  
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To:

1. The Member Secretary,  
State Level Scrutiny Committee-III  
Adi Dravidar and Tribal Welfare Department,  
Fort St.George, Secretariat,  
Chennai-600 009.
2. The Deputy Superintendent of Police,  
SC/ST Vigilance Cell,  
Salem Region, Collector's Office Complex,  
Salem-1

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