



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-06-2025

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THE HONOURABLE MRS JUSTICE J. NISHA BANU

AND

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

W.P No. 22069 of 2025 and

WMP No.24812 of 2025

N.Tamilarasan

... 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/
Assistant Commissioner of Police,
Social Justice and Human Rights,
SC/ST Vigilance Cell, Old Armed Force Complex,
Line Medu, Salem 636 006.

... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, forbearing the respondents or any of their agency from verifying the community certificate of the petitioner and his sons namely T.K.Saashwat and T.Aadhrith issued as per the orders passed in W.P.No.27642 of 2017 dated 30.10.2017 on the file of this court, as per the dictum laid down by the Apex Court in the case of Dayaram Vs. Sudhir Batham and others



reported in 2011 (6) CTC 192 that " **if caste certificates are issued after due and proper inquiry, such caste certificate will not call for verification by the scrutiny committees**".

For Petitioner(s): Mr.S.Doraisamy

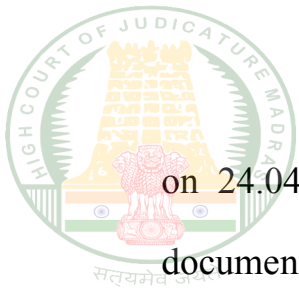
For Respondent(s): Mr. Vadivel Deenadayalan
Additional Government Pleader

ORDER

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

The present Writ Petition is filed seeking to issue a Writ of Mandamus, forbearing the respondents or any of their agency from verifying the community certificate of the petitioner and his sons namely T.K.Saashwat and T.Aadhrith issued as per the orders passed in W.P.No.27642 of 2017 dated 30.10.2017 on the file of this court, as per the dictum laid down by the Apex Court in the case of Dayaram Vs. Sudhir Batham and others reported in 2011 (6) CTC 192 that " **if caste certificates are issued after due and proper inquiry, such caste certificate will not call for verification by the scrutiny committees**".

2. According to the petitioner, he belongs to ' Kondareddis Community ', which is classified as Scheduled Tribe Community. His father was issued community certificate by the Tahsildar, Mettur on 29.07.1975 stating that he belongs to ' Kondareddis Community '. Subsequently, the petitioner also obtained Konday Reddy (ST) community certificate from the Tahsildar, Mettur



on 24.04.1984, which was issued after due enquiry and verification of the documents. In the school certificates also, the petitioner's community is entered as Kondareddis (ST) community.

3. The petitioner applied for community certificate to his son namely Minor T.K.Saashwat, before the Revenue Divisional Officer, Mettur on 22.08.2013 along with all necessary documents. Since the said application was not considered, he filed a writ petition in W.P.No.27642 of 2017, in which, this court directed the authorities concerned to issue community certificate to the petitioner's son to the effect that he belongs to ' Kondareddis (ST) Community. However, only after contempt petition filed by the petitioner in Cont.Petn.No.818 of 2018, the respondent concerned complied the order passed by this court in the above said writ petition and the Revenue Divisional Officer, Mettur had issued a community certificates to the petitioner's sons namely T.K.Saashwat and T.Aadhrith on 16.02.2019 stating that they belong to ' Kondareddis (ST) Community '. In such circumstances, the 2nd respondent issued a notice dated 11.04.2025 to the petitioner, calling upon him to appear for enquiry before him.

4. It is the case of the petitioner that, when the community certificate was issued to the petitioner and his children, after due proper enquiry and also as per the order of this court in W.P.No.27642 of 2017, dated 30.10.2017, there is no



need for the State Level Scrutiny Committee again to verify the community certificate. Hence, this writ petition.

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5. The learned counsel for the petitioner submitted that as per the ratio laid down by the Hon'ble Apex Court in ***Dayaram Vs. Sudhir Batham and others reported in 2011 (6) CTC 192*** , if caste certificates are issued after due and proper inquiry, such certificate will not call for verification by the Scrutiny Committees. Hence, he prayed to forbear the respondents from verifying the community certificate of the petitioner as well as his sons, as they were issued after proper inquiry.

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

7. It is seen from the records that the father of the petitioner K.Nagarajan was issued community Certificate by the Tahsildar concerned on 20.07.1975, as he belongs to Konda Reddies community (ST). Further, the petitioner was also issued community certificate by the Tahsildar, Mettur on 24.04.1984 mentioning that he belongs to Koda Reddy ST community. Subsequently, as per the order of this court in W.P.No.27642 of 2017 dated 30.10.2017, the petitioner's sons namely T.K.Saashwat and T.Aadhrith were also issued community certificates by the Revenue Divisional Officer concerned, as they



belong to Konday Reddies (ST) Community.

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8. It is to be noted that, while this court allowing the writ petition in W.P.No.27642 of 2017 filed by the petitioner, praying to issue a community certificate to his son as he belongs to Kondda Reddy (ST) Community, discussed the matter in detail. In the said writ petition, this court observed that the respondent is bound to take into consideration the community certificates issued to the petitioner and his father, prior to cut of date 11.11.1989, as per the decision of the Hon'ble Supreme Court in ***R.Kandasamy Vs. The Chief Engineer, Madras Port Trust (1997) 7 SCC 505***. Further, in the light of various decisions of the Hon'ble Supreme Court as well as this Court, the respondent concerned was directed to issue community certificate to the petitioner's son, to the effect that he belongs to Kondareddis (ST) Community. Pursuant to the said order, the sons of the petitioner were also issued community certificates, as they belong to Konda Reddis (ST) Community on 16.02.2019. In such circumstances, the 2nd respondent issued a notice on 11.04.2025, calling upon the petitioner to appear before him for enquiry with regard to the genuineness of the community certificate, along with all relevant original documents.

9. At this juncture, it is worthwhile to rely upon on the decision of this court in an identical matter in W.P.No.32370 of 2022, dated 11.01.2024 and the relevant portions are extracted here under.



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15. In the cases on hand, community certificate was issued only after verification and based upon the detailed order passed by this court.

Hence, it can be concluded that if caste certificates are issued after due and proper inquiry, such caste certificate will not call for verification by the scrutiny committee.

16. In identical matters, the High court and Hon'ble Apex court held that if caste certificates are issued after due and proper inquiry, such caste certificates will not call for verification by the scrutiny committee. In the case of ***Dayaram Vs. Sudhir batham and other reported in 2011 [6] CTC 192***, the Hon'ble Apex Court held that 'if caste certificates are issued after due and proper inquiry, such caste certificates will not call for verification by the scrutiny committee.

17. Following the same, this Court in ***K.Srimathi vs. The Controller of Examination, Tamil nadu Dr.MGR medical university and others [WP.22741/2023 dated 19.09.2023]*** referred to the decision of Supreme Court in ***J.Chitra Vs District Collector and Chairman, State level vigilance committee, Tamil nadu and others reported in 2021 [9] SCC 811*** and observed as follows ;

'8. In Dayaram [supra], this court was of the view that the Scrutiny Committee is an administrative body which verifies the facts and investigates into claims of caste status. The orders of the Scrutiny committee are open to challenge in proceedings under Article 226 of the constitution of India. It was further held by this Court that permitting civil suits with provisions for appeals and further appeals would defeat the very scheme and

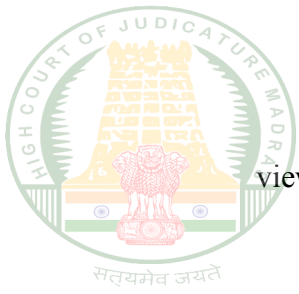


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will encourage the very evils which this Court wanted to eradicate. It was observed that the entire scheme in Kumari Madhuri Patil (supra) will only continue till the legislature concerned makes an appropriate legislation in regard to verification of claims for caste status as SC/ST. It was made clear that verification of caste certificates issued without prior inquiry would be verified by the Scrutiny Committees. Such of those caste certificates which were issued after due and proper inquiry need not to be verified by the scrutiny Committees."

18. A careful reading of the above judgment would go to show that the community certificate is an acknowledgement of a person as belonging to the Scheduled Caste and Scheduled Tribe community and therefore, repeated investigations into the genuineness of the community certificates of persons belonging to Scheduled caste and Scheduled tribe communities would be detrimental to their interest. 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 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. But in the cases on hand, the petitioners were issued with community certificate after due enquiry and verification and after the direction of this court. Both petitioners' father's community certificate were found to be genuine and based on the same, petitioner's community certificate was issued. Therefore, this court is of the

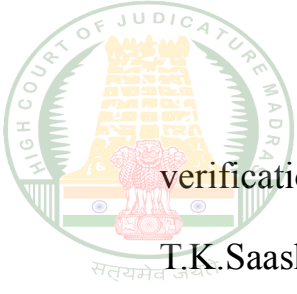


view that further verification is not required in the present cases.

19. In the light of the above discussion, the verification process requested by the respondents in respect of the community certificate of the petitioners is nothing but reopening the matter for fresh inquiry, wherein, the community certificate was issued only after due enquiry and verification. Therefore, such repeated enquiry into the community certificate that too when the community certificate issued in favour of close relatives viz, father of the petitioner in the cases on hand, subsist, the authorities are bound to consider the same. Therefore, the action of the respondents in verifying the community certificate is unjustified. Accordingly, the writ petitions stand allowed. Repeated investigation and verification is unwarranted in so far as the petitioners are concerned. No costs. Consequently, connected miscellaneous petitions are closed.

10. In the light of the above decision and also the discussions made supra, this court is of the view that once community certificate was issued after due enquiry and verification, such repeated enquiry into the community certificate is unwarranted, that too when the community certificate issued in favour of the petitioner's father, petitioner and his sons are in subsist. Therefore, the authorities concerned are bound to consider the same and hence, their action in verifying the community certificate once again is unjustified.

11. Accordingly, this writ petition is allowed. Repeated investigation and



verification of the community certificate of the petitioner and his sons namely T.K.Saashwat and T.Aadhrith by the respondent concerned are unwarranted and hence, the respondents are restrained from doing such verification. There shall be no order as to costs. Connected miscellaneous petition is closed.

(J.N.B. J.)

(M.J.R.J.)

19.06.2025

mst

To

1. The Chairman, Tamil Nadu State Level Scrutiny Committee,
Adi Dravidar and Tribal Welfare Department,
Namakkal Kavingar Maligai, Secretariat, Chennai 600 009.
2. The Deputy Superintendent of Police/
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