



WEB COPY

WP No.24550 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-07-2025

CORAM

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

W.P. No.24550 of 2025

Kaliyappan

Petitioner

Vs

The Chairman,
State Level Scrutiny Committee,
Chief Secretariat, Fort St.George,
Chennai-9

Respondent

PRAYER Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondent to consider and pass orders on the petitioner's appeal dated 01.06.2024 within a time frame to be stipulated by this Court, holding his claim for Scheduled Tribe status as belonging to Kurumans community for himself and his family members viz., his son, Uthirakumar, wife, Selvi and daughter-in-law, Ranjana on the basis of the ST Kurumans Community Certificates issued to his close blood relatives.

For Petitioner

M/s.K.Nithyashree

For Respondent

Mr.R.Kumaravel,
Additional Govt. Pleader for R1

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

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This writ petition is filed for a Mandamus directing the respondent to consider and pass orders on the petitioner's appeal dated 01.06.2024 within a time frame to be stipulated by this Court, holding his claim for Scheduled Tribe status as belonging to Kurumans community for himself and his family members viz., his son, Uthirakumar, wife, Selvi and daughter-in-law, Ranjana on the basis of the ST Kurumans Community Certificates issued to his close blood relatives.

2. The case of the petitioner is that he applied for Scheduled Tribe Kurumans community certificate for himself and his family members based on the community certificates issued to his close blood relatives Manirathinam and Others, which have been held to be genuine by the State Level Scrutiny Committee in the year 2017. The said application was rejected on 16.06.2017, which was challenged in W.P.No.34316 of 2017 and by order dated 14.02.2018, this Court set aside the rejection order and remanded the matter to the RDO. Again by order dated 31.08.2018 the petitioner's application was rejected, which was again put to challenge in W.P.No.16958/2022 and by order dated 02.08.2022, this Court set aside the rejection order and remanded the matter back to the RDO, Mettur for fresh consideration to the RDO, who once again passed the rejection order dated 09.12.2022. Therefore, the petitioner filed an appeal before the District Collector, Salem on 07.01.2023, which was also



rejected by the order dated 19.08.2023. According to the petitioner, the District Collector, Salem, while rejecting his appeal, has relied upon documents which were not even shown to him for effectively defending his case. Therefore, the petitioner preferred an appeal to the respondent herein on 01.06.2024, which is still pending without any action being taken and for want of community certificate, the petitioner's son is unable to apply for any public employment and as such, the petitioner is constrained to file the instant writ petition.

3. Heard the learned counsel for the parties and perused the materials.

4. The fact remains that this is the third round of litigation, as on earlier two occasions this Court had set aside the rejection orders passed by the RDO and remanded the matter for fresh consideration. Even the appeal filed before the District Collector Salem was rejected vide order dated 19.08.2023. It is the grievance of the petitioner that the District Collector, Salem, without considering the fact that close relatives of the petitioner have been issued with ST Kurumans community certificate and without furnishing the relied upon documents, has dismissed the appeal in flagrant violation of the principles of natural justice, against which the petitioner preferred an appeal dated 01.06.2024 before the respondent and till date the appeal filed by the petitioner is pending on the file of the respondent without any action being taken.



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5. In such circumstances, this Court, without expressing anything on merits, directs the respondent to consider the appeal filed by the petitioner dated 01.06.2024 by affording reasonable opportunity to the petitioner and pass appropriate orders on merits and in accordance with law within a period of three (3) months from the date of receipt of a copy of this order.

6. The writ petition stands disposed of with the above directions. No costs.

(J.NISHA BANU J.) (M.JOTHIRAMAN J.)
08.07.2025

ASI

To

The Chairman,
State Level Scrutiny Committee,
Chief Secretariat, Fort St.George,
Chennai-9



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J.NISHA BANU, J.
AND
M.JOTHIRAMAN, J.

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