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WP.No.22483 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2025

CORAM

THE HONOURABLE MRS. JUSTICE J.NISHA BANU

AND

THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

W.P.No.22483 of 2025

and

W.M.P.No.25283& 25285 of 2025

C.V.Kalaivanan
S/o Vijayaraghavan

...Petitioner

Vs.

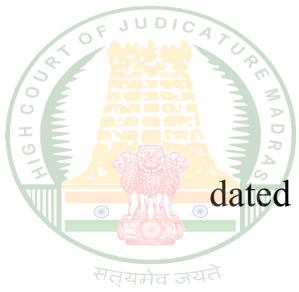
1. The Chairman,
State Level Scrutiny Committee-II and
Additional Secretary to Government,
Adi-Dravidar and Tribal welfare (CV-3)
Department, Secretariat,
Chennai - 9.

2. The Deputy Superintendent of Police,
SC/ST Vigilance Cell,
Salem Region, Salem.

3. The Inspector of Police,
Jalakantapuram Police Station,
Salem District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Certiorari Mandamus to call for the records of the 3rd respondent in its Letter No.Nil dated 17.05.2025 and quash the same and consequently refrain the respondents from conducting verification into the petitioner's community certificate dated 12.07.2010 issued in pursuance of Hon'ble Court's direction in W.P.No.26974/2009



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dated 07.04.2010.

For Petitioner : Mr.V.Vijayashankar
For Respondents : Mr.Vadivel Deenayadalan,
Addl.G.P. for R1
Mr.M.Babu Muthu Meeran
Addl.P.P. for R2 & R3

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ORDER

(The order of the Court was made by J.Nisha Banu,J.)

Mr.Vadivel Deenayadalan, learned Additional Government Pleader takes notice for the 1st respondent. Mr.M.Babu Muthu Meeran, learned Additional Public Prosecutor takes notice for the 2nd and 3rd respondent. 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 in Letter No.Nil dated 17.05.2025 passed by the 3rd respondent, by which, the petitioner was asked to appear for enquiry on 24.05.2025 regarding his community status. The petitioner also sought to forbear the respondents from verifying the petitioner's community certificate dated 12.07.2010 issued in pursuance of the direction of this Court made in W.P.No.26974 of 2009 dated 07.04.2010.

3. The case of the petitioner is that he belongs to Scheduled Tribe community. The parents of the petitioner possess community certificates



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as belonging to Scheduled Tribe. The petitioner's elder brother Manivannan filed W.P.No.14821/1995 dated 25.07.1996 for issuance of community certificate in his favour, in which a direction was issued to issue community certificate to him. Based on the said order, the RDO issued community certificate to his brother on 27.09.1996. The petitioner applied to RDO for issuance of community certificate to himself. However, the application of the petitioner was rejected. Hence, the petitioner filed W.P.No.26974 of 2009 before this Court and this Court vide order dated 07.04.2010 directed the respondents to issuance community certificate to the petitioner as his family members belong to Scheduled Tribe community. Thereafter, RDO issued community certificate to the petitioner as belonging to ST community. Whiles, after 15 years, the 3rd respondent has issued the impugned enquiry notice dated 17.05.2025 for verification of the petitioner's caste status. Aggrieved by the said enquiry notice, the petitioner is before this Court, seeking to quash the same.

4. Learned counsel appearing for the petitioner submitted that the father and mother of the petitioner is possessing ST community certificate and his brother is also issued with ST community certificate. When the petitioner applied for issuance of community certificate, the same was rejected. Therefore, the petitioner filed a writ petition in W.P.No.26974 of



2009 before this Court and based on the order passed by this Court, the community certificate was issued to the petitioner by the RDO, Mettur.

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When the genuineness of the petitioner's community certificate as belonging to the Konda Reddy Scheduled Tribe Community was confirmed by the then competent authority as on 12.07.2010, the third respondent could not reopen the issue after a lapse of more than 14 years. Learned counsel for the petitioner relying on the judgments of 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.Vadivel Deenadayalan, learned Additional Government Pleader contended that the petitioner was just called for enquiry to ascertain the genuineness of the community certificate produced by him. 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.

6. Heard the learned counsel for the petitioner, the learned Additional Government Pleader appearing for the 1st respondent, the learned Additional Public Prosecutor for the 2nd and 3rd respondents and perused the materials available on record.



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7. The short point for consideration involved in this case is whether the 3rd respondent, having kept silent all along, could reopen the verification of the community certificate of the petitioner, when this Court, on verification, had directed to issue community certificate to the petitioner, on earlier occasion. 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 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



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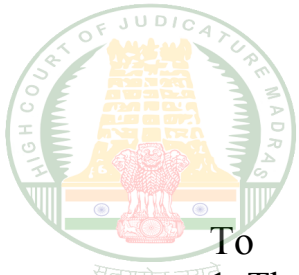
certificates would be detrimental to the members of Scheduled Castes and 13 | P a g e Scheduled Tribes. Reopening of inquiry into caste certificates can be only in case they are vitiated by fraud or when they were issued without proper inquiry.”

8. 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 3rd respondent has no jurisdiction to embark on further enquiry into the community status of the petitioner. The impugned enquiry notice in Letter No.Nil dated 17.05.2025 of the third respondent is liable to be set aside.

9. Accordingly, the Writ Petition is allowed. The impugned enquiry notice in Letter No.Nil dated 17.05.2025 of the third respondent is hereby set aside. No costs. Consequently, connected miscellaneous petitions are closed.

[J.N.B.,J.] [M.J.R.,J.]
24.06.2025

vsi
Speaking order/Non-speaking order
Neutral Citation: Yes/No



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To

1. The Chairman,
State Level Scrutiny Committee-II and
Additional Secretary to Government,
Adi-Dravidar and Tribal welfare (CV-3)
Department, Secretariat,
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2. The Deputy Superintendent of Police,
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