



W.P.No.23846 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.07.2025

C O R A M

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

AND

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

W.P.No.23846 of 2025 and

W.M.P.No.26848 of 2025

N.Sasikumar

... Petitioner

-VS-

The Revenue Divisional Officer,
Tiruvannamalai,
Tiruvannamalai District.

... Respondent

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 online rejection order in Application Numbers in TN-5202503249569 (S.Krithika Sree) and TN-5202503268701 (S. Subhisksha) dated NIL on the file of the respondent, quash the same and direct the respondent to issue community certificate to the children of the petitioner, namely S.Krithika Sree and S.Subhiksha that they belong to Kattunayakan (ST) Community based upon the community certificate already issued to the petitioner in Certificate No.495548 dated 13.01.2017.

For Petitioner : Mr.V.Elangovan

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

ORDER



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

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This writ petition has been filed, challenging the impugned online rejection order in Application Numbers in TN-5202503249569 (S.Krithika Sree) and TN-5202503268701 (S.Subhisksha) dated NIL of the respondent. The petitioner also sought for a direction to the respondent to issue community certificate to the children of the petitioner, namely, S.Krithika Sree and S.Subhiksha that they belong to Kattunayakan (ST) Community based upon the community certificate already issued to the petitioner in Certificate No.495548 dated 13.01.2017.

2. The case of the petitioner is that he belongs to Kattunayakan Community, which is classified as Scheduled Tribe (ST) under the Constitution Scheduled Tribes Order, 1950 as per the certificate issued by the Revenue Divisional Officer, Vellore on 13.01.2017 in Certificate No.495548. The said certificate was issued to him after due enquiry and verification of documents. The petitioner applied for a community certificate to his children, namely, S.Krithika Sree (aged 9 years) and S.Subhisksha (aged 8 years) on 26.03.2025, pursuant to the insistence of the school authorities for production of the certificates. However, those applications



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were rejected by the respondent for want of verification from other District.

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3. The petitioner assailed the impugned rejection order on the ground that in terms of the judgment of the Supreme Court in State of **Bihar vs. Sumit Anand**, reported in **2005 (12) SCC 248**, if the parents possess a valid community certificate, their children cannot be refused the grant of community certificate. The rejection order has been passed by the respondent in this case on flimsy reasons and such rejection is against the Government Order dated 21.08.2023 amended on 27.11.2024 vide G.O.Ms.No.100, Adi Dravidar and Tribal Welfare Department. Therefore, it is prayed that the online rejection order is illegal and arbitrary in nature.

4. Learned Additional Government Pleader appearing for the respondent contended that the petitioner obtained the community certificate in Vellore District, whereas the petitioner along with his family is now residing in Tiruvannamalai District and therefore, the respondent has rejected the application to ascertain the genuineness of the certificate from other District. The rejection order of the respondent is not perverse or illegal,



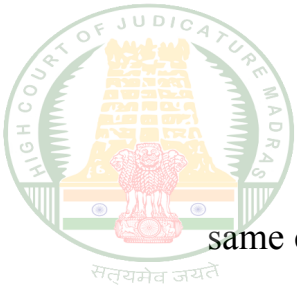
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warranting interference by this Court.

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5. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondent and perused the materials available on record.

6. The petitioner, who is the father of two Children, for whom Community Certificates were sought for production to the school authorities, is in possession of a valid community certificate to the extent that he belongs to Kattunayakan (ST) Community vide Certificate No.495548 dated 13.01.2017. Based on his certificate, he applied for community certificates to his children. The request of the petitioner was declined by the respondent for want of ascertaining the genuinenesses from other District. The rejection order passed by the respondent is not valid in the eye of law on two folds. Firstly, an amendment was brought by the Government in G.O.(Ms) No.100 Adi Dravidar and Tribal Welfare (CV-1) Department dated 27.11.2024 to the effect that in case an application is submitted for issuance of community certificate by relying upon the community certificate of a close relative, the



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same can be accepted by the competent authority, if it is not cancelled by the

higher authority. For the sake of convenience, the relevant passage of the

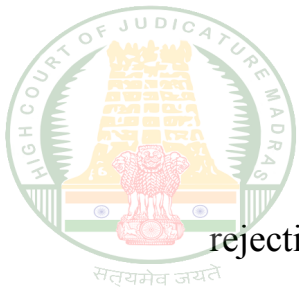
Government is extracted hereunder:

“AMENDMENT

The following para is substituted instead of para 3.9A(6) of the manual for the issuance and verification of Scheduled Caste & Scheduled Tribe Community Certificates:-

“The competent authority while issuing the community certificate, should consider the Scheduled Tribe community certificate issued in favour of the parents and close relatives of the applicants, subject to verification of the relationship and until the above certificates are cancelled by the higher authority, namely, State Level Scrutiny Committee, the competent authority should accept the same and issue Scheduled Tribe Community Certificate to the applicants.”

7. In this case, it is not case of the respondent that the community certificate issued to the petitioner is cancelled by the Higher Authority. Secondly, the only ground of rejection is that the respondent is not in a position to verify the genuinenesses of the community certificate of the petitioner, as it was obtained in some other District. The said reason for



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rejection cannot be accepted in view of the earlier decision of this Court, in which one of us (JNBJ) was a member, in the case of **S.Deepan and another vs. The Revenue Divisional Officer, Tiruvannamalai District [W.P.Nos.33792 and 33794 of 2023] dated 22.12.2023**, holding that the reason for rejection on account of shifting of the place of permanent abode cannot be accepted. In yet another judgment of a Division Bench of this Court in **W.P.No.38311 of 2024 dated 18.12.2024**, it was observed that once the genuineness of the caste certificate of a close relative was confirmed by the Competent Authority, even the children of the applicant will be automatically entitled to the same status.

8. In an identical situation, this Court in the case of **N.M.Ganesan vs. The Revenue Divisional Officer, Tiruvallur, Tiruvallur District [W.P.No.35771 of 2023] decided on 21.12.2023**, in which one of us (JNBJ) was a member, directed the respondent therein to issue community certificate to the petitioner and his daughters therein on the basis of the certificate, issued to the petitioner's own brother therein, stating that the interstate area restriction cannot be applied to intrastate areas, because, a



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legally issued caste certificate is valid throughout the State.

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9. For the foregoing reasons and discussion, we are of the view that the impugned online rejection order of the respondent has no legs to stand and the same is liable to be set aside.

10. Accordingly, the Writ Petition is allowed. The impugned online rejection order is hereby set aside. We direct the respondent to issue community certificates to the petitioner's children that they belong to Kattunayakan (ST) Community based upon the community certificate already issued to the petitioner in Certificate No.495548 dated 13.01.2017 within a period of two weeks from the date of receipt of a copy of this order. Needless to state here that this order will not preclude the respondent from

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AND

M.JOTHIRAMAN, J.

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verifying the genuinenesses of the petitioner's certificate and the petitioner has to cooperate for conduct of the enquiry. In case the petitioner does not cooperate for enquiry, it is open to the respondent to proceed further in the



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manner known to law. No costs. Consequently, connected miscellaneous
petition is closed.

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(J.N.B.J.,) (M.J.R,J.,)
17.07.2025

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

The Revenue Divisional Officer,
Tiruvannamalai,
Tiruvannamalai District.

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