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W.P.No.23841 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.07.2025

C O R A M

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

W.P.No.23841 of 2025 and
W.M.P.No.26838 of 2025

V.Bharath Kumar

... Petitioner

-VS-

The Revenue Divisional Officer,
Krishnagiri,
Krishnagiri 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 Number in TN-5202502021533 dated NIL quash the same and direct the respondent to issue community certificate to the petitioner and his brother V.Kamaraj that they belong to Kurumans (ST) Community based upon the community certificate of the petitioners father M.Veerabathran and Father's own brother M.Chockalingam, which was confirmed as genuine by the State Level Scrutiny Committee in proceedings No.10208/CVIII/2009-5 dated 31.12.2010 and community certificate of petitioner's father's own brother M. Mohan issued as per the order passed in W.P.No.38969 of 2024 dated 19.12.2024.



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For Petitioner : Mr.S.Doraisamy
For Respondent : Mr.Vadivel Deenadayalan
Addl. Govt. Pleader

ORDER

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

This writ petition has been filed, challenging the online rejection order in Application Number in TN-5202502021533 and also for a direction to the respondent to issue community certificate to the petitioner and his brother V.Kamaraj that they belong to Kurumans (ST) Community based upon the community certificate of the petitioners father M.Veerabathran and Father's own brother M.Chockalingam, which was confirmed as genuine by the State Level Scrutiny Committee in proceedings No.10208/CVIII/2009-5 dated 31.12.2010 and community certificate of petitioner's father's own brother M. Mohan issued as per the order passed in W.P.No.38969 of 2024 dated 19.12.2024.

2. The case of the petitioner is that he belongs to Kurumans Community and his father had already obtained a community certificate from the Tahsildar, Krishnagiri as early as on 05.08.1977 itself to that effect. That apart, the brother of the petitioner's father was also issued with a



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community certificate on 21.06.1979, which, on being referred for verification by the employer, was held to be genuine by the State Level Caste Scrutiny Committee. It is further case of the petitioner that when the application submitted by his father's another own brother by name M.Mohan, was rejected by the authorities, the rejection order was interfered with by this Court in W.P.No.38969 of 2024 by its order dated 19.12.2024, by holding as under:

“3. Mr.V.Elangovan, learned counsel appearing for the petitioner would draw our attention to the effect that the petitioner-s own brothers Mr.M.Veerabathran and Mr.M.Chockalingam have been favoured with certificates to the effect that they belong to “Hindu Kurumans“, a scheduled tribe community even as early as in 1977 & 1979. He would also point out that the community certificate issued to one of the brothers, Mr.M.Chockalingam was verified by the State Level Scrutiny Committee and the genuineness of the same was confirmed by the Committee-s order dated 31.12.2010. Even in the said order, the said Chockalingam is stated to be from the village, Megalachinnampalli in Krishnagiri Taluk & District. Therefore, it is clear that the order of rejection cannot be sustained.

4. Hence, this Writ Petition is allowed, the impugned rejection order is quashed with a direction to the Revenue Divisional Officer, Krishnagiri District to issue community certificate based on the certificate issued to Mr.M.Chockalingam, brother of the petitioner, which has been verified by the State Level Scrutiny Committee, subject to the proof that the petitioner is actually the brother of



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M.Chockalingam. No costs. Consequently, connected miscellaneous petition is closed.”

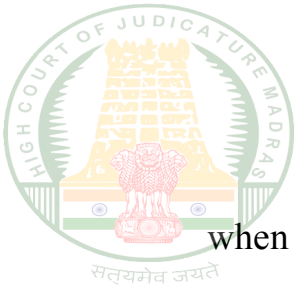
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3. That being the position, when the petitioner applied for community certificate, the same was rejected in a mechanical manner without proper application of mind, ignoring the fact that own brothers of his father had obtained community certificates to the extent that they belong to the Kurumans Community. Thus, it is pleaded that the rejection order is highly arbitrary and illegal.

4. Mr.Vadivel Deenadayalan, learned Additional Government Pleader justified the rejection order, stating that for want of field verification, the application of the petitioner was rejected and there is no arbitrariness in the action of the respondent.

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 short point for consideration involved in this case is that



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when the close relatives of the petitioner were issued with community certificates, the rejection of the application of the petitioner is justified or not. Admittedly, the petitioner's father, who is no more, had obtained a community certificate in the year 1977 itself and following by him, two of his brothers and their sons were also granted community certificates. Moreover, the community certificate of the brother of the petitioner's father, namely, M.Chockalingam was duly verified by the State Level Caste Scrutiny Committee and the same was confirmed to be genuine. As such, rejecting the petitioner's claim for community certificate is wholly unsustainable. 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 conducting enquiry again and again 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



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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 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.”

7. In an identical issue, a Division Bench of this Court, in which one of us (JNBJ) was a member in the case of **R.Priyadharshini vs. Director General of Health Services and others [W.P.No.22145 of 2023]**, **decided on 17.08.2023** held that once the community certificate of a family member is certified to be genuine, there is no discretion vested with the Officials to reject the application. For better appreciation, Paragraph Nos. 6 to 8 are reproduced hereunder:

“6. We have been repeatedly observing that a community comprises the members of the family and also members of the same group or tribe or caste and that the children derive their community from their parents and members of the family. If they have been given community certificate, their children, are entitled to the said certificate without any further verification. In the present case, as the petitioner-s father is mentally ill and she was brought up by her father-s own brother, K.Kumar, who has been issued with the certificate that he belongs to Scheduled Tribe Community of Kurumans, the authorities cannot take a different view and reject the petitioner-s



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application. Further, it is for the authorities to examine their relationship and issue community certificate.

7. Considering the fact that the Certificate of the petitioner-s father own brother, K.Kumar had been verified by the State Level Scrutiny Committee and has been certified to be genuine the Revenue Divisional Officer, Dharmapuri, the original authority has no discretion but to issue a certificate in favour of the petitioner, her brother and sister.

8. In view of the above, the 4th respondent, the Revenue Divisional Officer, Dharmapuri, is directed to issue a Certificate to the effect that the petitioner, her sister R.Keerthana, her brother R.Pratheesh belong to Scheduled Tribunal Community of Kurumans within a period of two weeks from the date of receipt of a copy of this order.”

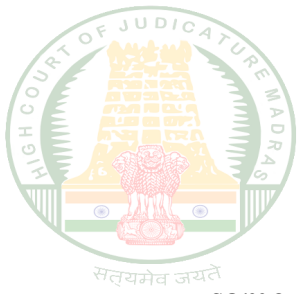
8. The judgment of this Court (referred to supra) placed by the learned counsel for the petitioner squarely applies to the case on hand. When the petitioner's father and uncles got certificates to the effect that they belong to Kurumans community, it is not known as to what prevented the respondent in issuance of such certificate to the petitioner and there is no hurdle for the respondent in issuing ST community certificate to the petitioner.

9. For the foregoing discussions, we are of the view that the impugned rejection order of the respondent has no legs to stand and the

J.NISHA BANU, J.

AND

M.JOTHIRAMAN, J.



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same is liable to be set aside. Accordingly, the Writ Petition is allowed. The impugned rejection order of the respondent made in Application Number in TN-5202502021533 is hereby set aside. The matter is remanded back to the respondent for fresh consideration. The petitioner shall produce all the documents, especially the community certificates of his father and other close relatives to the respondent and upon consideration of the same, the respondent shall issue community certificate to the petitioner within a period of eight weeks from the date of receipt of those documents without adopting dilatory tactics. No costs. Consequently, connected miscellaneous petition is closed.

(J.N.B.J.,) (M.J.R,J.,)
11.07.2025

Index: Yes / No
Internet: Yes / No
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To:
The Revenue Divisional Officer,
Krishnagiri,
Krishnagiri District.

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