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WP No. 24804 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. 24804 of 2025

1. A.M.Pargunam
S/o.A.Murugesan, No.252, Big Street,
Pandarvedu Village, Pallipattu Taluk,
Tiruvallur District

Petitioner(s)

Vs

1. The Revenue Divisional Officer
Tiruttani, Tiruvallur District

Respondent(s)

PRAYER

The Writ Petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Certiorarified Mandamus calling for the records relating to the rejection order in Na.Ka.299/2025/A6 dated 14.5.2025 on the file of the respondent quash the same and direct the respondent to issue the online community certificate to the petitioner and his children namely A.P.Parthiban and A.P.Gomathi that they belong to Kondareddis (ST) community based upon the community certificate already issued to the petitioner in certificate No.442575 dated 12.4.2018.



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For Petitioner(s): Mr. V.Elangovan

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 challenging the rejection order passed by the respondent dated 14.05.2025.

2. The case of the petitioner is that the petitioner belongs to Kondareddis Community, which is classified as Scheduled Tribe Community and obtained a Community Certificate from the respondent on 12.04.2018 stating that the petitioner belongs to the said community. The said certificate was issued to the petitioner after proper verification of documents and enquiry conducted by the Village Administrative Officer, Revenue Inspector and Tahsildar.

2.1. It is further case of the petitioner that on 17.08.2019, the respondent rejected the petitioner's claim for issuance of community certificate to his children. Against which, the petitioner filed a Writ Petition in W.P.Nos.23857 and 23861 of 2022 and this Court directed the petitioner to approach the District Collector, Tiruvallur, by way of filing an appeal. Accordingly, the petitioner filed an appeal before the District Collector, Tiruvallur. The District Collector, in his letter dated 01.01.2023 informed that a Committee has been formed by the Government to ascertain the genuineness of the Kondareddis (ST)



Community certificates issued to the 296 persons. After receiving the report from the Committee, steps will be taken to issue community certificate based on it.

2.3. While, the District Collector, Tiruvallur, without jurisdiction issued notice to the petitioner to appear for enquiry based upon some third-party complaint to verify his community certificate. Hence, the petitioner appeared before the District Collector and submitted all the relevant documents in support of his claim. However, the District Collector cancelled the petitioner's community certificate without considering any of the documents produced by the petitioner. Challenging the same, the petitioner filed a Writ Petition in W.P.No.37170 of 2024 challenging the said cancellation order. This Court, vide order dated 06.12.2024 allowed the Writ Petition by quashing the impugned cancellation order and concluded that the District Collector has no power to cancel the certificates issued, in view of the directions of the Hon'ble Supreme Court in Kumari Madhuri Patil Vs. Additional Commissioner reported in 1994 (6) SCC 241 and also pointed out that the State has issued an elaborate manual for dealing with the issues relating to cancellation of community certificates. Evidently, the procedure prescribed in the manual has not been followed. Further, this Court granted liberty to the Government to take appropriate action as per law.

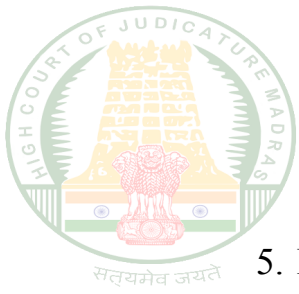


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2.4. In these circumstances, since the community certificate is required to the petitioner, he preferred an application to the respondent on 23.01.2025 requesting to issue the same based on the manual certificate issued to him. However, the respondent rejected petitioner's claims stating that the petitioner's manual certificate has been cancelled by the District Collector. Challenging the same, the present Writ Petition is filed.

3. Heard the learned counsel appearing for the petitioner as well as the learned Additional Government Pleader appearing for the respondent and perused the materials placed before this Court.

4. It is unfortunate to note that the rejection order has been passed without considering the documents produced by the petitioner. 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.



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5. In the present case, the petitioner was already issued with the manual community certificate that he belongs to Kondareddis (ST) Community, by the Revenue Divisional Officer, Tiruttani Division, Tiruvallur District/ respondent herein, on 12.04.2018. Therefore, the authorities cannot take a different view and reject the petitioner's application for him and his children.

6. In similar circumstances, the Division Bench of this Court in the case of M.Arumugam Vs. The Revenue Divisional Officer, Tambaram, Chennai in W.P.No.2934 of 2025 dated 31.01.20215 has held as follows:-

"5. We find it very difficult to accept the statement made in the affidavit, it is clear that the Revenue Divisional Officer, Tambaram, had mechanically rejected the application without even adverting to G.O.Ms.No.104 dated 21.08.2023 which prescribes the detailed procedure for issuance and verification of community certificates. We had also in W.P.No.38828 of 2024 dated 19.12.2024 referred to advisory issued by the Commissioner, Revenue Administration vide his letter dated 04.03.2023, clarifying that the issuing authority will issue online certificate, if the candidate had already been favoured with a manual certificate."

7. In view of the above, we are inclined to set aside the impugned order dated 14.05.2025 in Na.Ka.299/2025/A6 passed by the respondent and accordingly, the same is set aside and the matter is remanded to the respondent



for fresh consideration. The petitioner is directed to produce all the original documents in support of his claim before the respondent within a period of one week from the date of receipt of a copy of this order. Upon verification of such documents, the Revenue Divisional Officer, Tiruttani, Tiruvallur District/respondent is directed to issue online community certificate to the petitioner as well as to his children, namely, A.P.Parthiban and A.P.Gomathi, within a period of four (4) weeks thereafter.

8. With the above directions, this Writ Petition is disposed of. There shall be no order as to costs.

(J.NISHA BANU J.) (M.JOTHIRAMAN J.)
08-07-2025

ASI

To

The Revenue Divisional Officer
Tiruttani, Tiruvallur District



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AND
M. JOTHIRAMAN, J.

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