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W.P.No.25889 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-07-2025

CORAM

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

**WP No.25889 of 2025 and
WMP No.29112 of 2025**

1. S.Gopinath, s/o A.K.Sivaji

2. S.Kavitha, d/o A.K.Sivaji

Petitioners

Vs.

1.The Tamil Nadu State Level Scrutiny Committee,
Adhi Dravidar and Tribal Welfare Department,
Namakkal Kavingar Maligai, Secretariat,
Chennai 600 009,
rep. by its Chairman.

2. The District Collector, Tiruvallur District,
Tiruvallur.

3. The Revenue Divisional Officer, Tiruttani,
Tiruvallur District.

Respondents

PRAYER Writ petition filed under Article 226 of Constitution of India to issue writ of certiorarified mandamus, to call for the records relating to the order of cancellation of community certificate of the petitioners in Na.Ka.No.J3/3196/2020 dated 10.10.2024 on the file of the 2nd respondent and quash the same and direct the respondents or anyof their agency not to reopen



the verification of the community certificate of the petitioners based upon the State Committee report of the petitioner's father's own brothers A.K.Vijayan in proceedings No.3270/CV-4(1)/2010-11 dated 05.02.2020 and A.K.Natarajan in proceedings No.12874/CV-4(1)/2019 - 9 dated 04.05.2022, which was upheld by this court in W.P.No.37214 of 2024 dated 06.12.2024.

For Petitioner: Mr.S.Doraisamy

For Respondents: Mr.Vadivel Deenadayalan
Addl.Govt. Pleader

ORDER

(Order of the Court was made by J.Nisha Banu J.)

This writ petition is filed to quash the order of cancellation of community certificate of the petitioners by the 2nd respondent and direct the respondents or any of their agency not to reopen the verification of the community certificate of the petitioners based upon the State Committee report of the petitioner's father's own brothers A.K.Vijayan in proceedings No.3270/CV-4(1)/2010-11 dated 05.02.2020 and A.K.Natarajan in proceedings No.12874/CV-4(1)/2019 - 9 dated 04.05.2022, which was upheld by this court in W.P.No.37214 of 2024 dated 06.12.2024.



2. It is the case of the petitioners that they obtained community certificate from the third respondent on 16.04.2018 stating that they belonged to Kondareddis (ST) community and the above certificates were issued to the petitioners, after proper verification of documents and enquiry conducted by the Village Administrative Officer, Revenue Inspector and Tahsildar.

2.1. The petitioners stated that their father's own brother A.K.Vijayan's community certificate dated 24.06.1982 was referred to the State Level Scrutiny Committee by his employer for verification of the genuineness. The State Level Scrutiny Committee, after thorough enquiry, gave findings in its proceedings dated 05.02.2020 that he belongs to Kondareddis (ST) community and the community certificate issued to him is genuine. Likewise, another own brother of the petitioners' father A.K.Natarajan's community certificate was also verified by the State Level Scrutiny Committee and by its proceedings dated 04.05.2022 found that the community certificate obtained by him genuine.

2.2. In such circumstances, the 2nd respondent, issued a notice to the petitioners as well as A.K.Natarajan, own brother of petitioners' father to appear for enquiry to verify community certificate, based upon the complaint received from third party. After enquiry, the 2nd respondent, cancelled the community certificates issued to the petitioners as well as A.K.Natarajan, who



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is the own brother of the petitioners' father. The cancellation of community certificate of A.K.Natarajan was challenged by him in W.P.No.37214 of 2024 and the same was allowed by this court, vide order dated 06.12.2024. Now, the petitioners herein have filed the present petition, challenging the cancellation order.

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. Admittedly, the petitioners were issued Community Certificate by the Revenue Divisional Officer, Tiruttani, stating that they belonged to Hindu Konda Reddis community. It is not disputed that the community certificates issued to the own brothers of the petitioners' father, namely A.K.Natarajan and A.K.Vijayan that they belonged to "Konday Reddis Community" were verified by the State Level Scrutiny Committee and the Committee found that the community certificates issued to them are genuine.

5. In such circumstances, it is unfortunate to note that the petitioners' community certificate was cancelled without considering the certificate issued to the petitioners' father's own brothers, which is confirmed by the State Level



Scrutiny Committee after enquiry. 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.

6. In the relied judgment by the counsel for the petitioners in W.P.No.37214 of 2024, dated 06.12.2024 the Division Bench of this court has passed the following order.

" 2. The petitioner was favoured with a certificate certifying that he belongs to "Kondareddis", a schedule tribe community by the jurisdictional Tahsildar on 14.12.1982. Thereafter, the said certificate was put to verification process by the State Level Scrutiny Committee and the Committee by its order dated 04.05.2022 confirmed the genuineness of the certificate issued to the petitioner. After the State Level Committee had passed orders, the District Collector has initiated separate proceedings on 10.10.2024 and had cancelled the certificate issued by the Revenue Divisional Officer on 19.04.2018 in favour of the petitioner. This, in our considered opinion, is completely without jurisdiction.

3. As per the judgment of the Hon'ble Supreme Court in ***Kumari Madhuri Patil Vs. Additional Commissioner*** reported in ***1994 (6) SCC 241*** as well as the manual that has been issued by the



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State Government regarding verification of community certificates, the final authority lies with the State Level Committee. Once the State Level Committee has affirmed the genuineness of the certificate, the District Collector has no jurisdiction to re-determine the issue.

4. Hence, this Writ Petition is **allowed**, setting aside the order of the District Collector, Tiruvallur dated 10.10.2024. It is made clear that the respondents cannot launch upon any further enquiry in view of the orders passed by the State Level Committee as early as on 04.05.2022. No costs. Consequently, connected miscellaneous petition is closed. "

7. In the light of the above said order, this writ petition is also allowed, setting aside the impugned order passed by the 2nd respondent. It is made clear that the respondents cannot launch upon any further enquiry upon the community certificates issued to the petitioners. There shall be no order as to costs. Connected miscellaneous petition is closed.

(J.NISHA BANU J.)

(M.JOTHIRAMAN J.)

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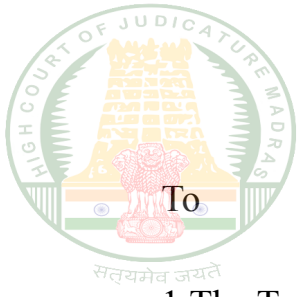
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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



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AND
M.JOHIRAMAN, J.

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