



W.P.No.27633 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 07.08.2025

C O R A M

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

W.P.No.27633 of 2025 and
W.M.P.Nos.30959 and 30961 of 2025

1. M.Mathaiyan
2. M.Moorthi
3. M.Marimuthu
4. M.Krishnammal
5. M.Selvarani
6. M.Sidhammal

... Petitioners

-VS-

The Revenue Divisional Officer,
Dharmapuri,
Dharmapuri 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-5202506203734 dated NIL, quash the same and direct the respondent to issue community certificate to the petitioners that they belong to Kurumans (ST) Community based upon the community certificate of the 1st petitioner's own brother's daughter P.Maheswari, which was verified by the State Level Scrutiny Committee in Proceedings No.11175/CV-3(2)/2022 dated 18.11.2023.

For Petitioners : Mr.S.Doraisamy
For Respondent : Mr.Vadivel Deenadayalan



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Addl. Govt. Pleader

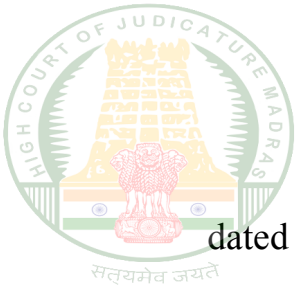
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ORDER

*(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-5202506203734 dated NIL and also for a direction to the respondent to issue community certificate to the petitioners that they belong to Kurumans (ST) Community based upon the community certificate of the 1st petitioner's own brother's daughter P.Maheswari, which was verified by the State Level Scrutiny Committee in Proceedings No.11175/CV-3(2)/2022 dated 18.11.2023.

2. The facts of the case are that the 1st petitioner belongs to Kurumans Community, which is classified as ST Community and he has two sons and three daughters, who are petitioners 2 to 6 herein respectively. According to the 1st petitioner, the daughter of his own brother, namely, Maheswari had obtained a community certificate as early as on 12.05.1997 and her certificate was duly verified and certified by the State Level Scrutiny Committee on 18.11.2023 in Proceedings No.11175/CV-3(2)/2022. The 1st petitioner drew our attention to the Government Order in G.O.Ms.No.104



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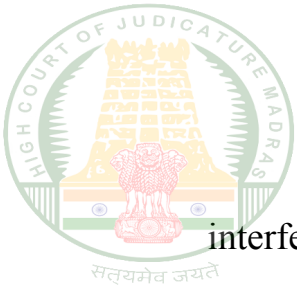
dated 21.08.2023, which states as follows:

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“3.8 Points to be remembered while issuing Scheduled Caste / Scheduled Tribes Community Certificates:-

The Competent Authority shall not refuse issuance of a community certificate in favour of a claimant who relies upon the community certificate issued, and verified by the State Level Scrutiny Committee of his parents, brothers, sisters or close blood relative, which is supported by genealogy tree issued by the concerned Revenue Authority.”

3. It is stated by the petitioners that since the possession of community certificate is essential to get Government aids, they submitted applications to the respondent through online, which were blatantly rejected by the respondent on the ground that the community certificates of their parents were not enclosed. The rejection order has been assailed, stating that when the daughter of the own brother of the 1st petitioner had obtained a community certificate to the effect that she belongs to Kurumans Community, the rejection order has been passed without proper application of mind, ignoring the Government Order issued in this regard. Thus, it is pleaded that the rejection order is highly arbitrary and illegal, warranting



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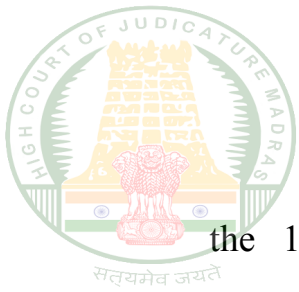
interference by this Court..

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4. Mr.Vadivel Deenadayalan, learned Additional Government Pleader justified the rejection order, stating that for want of production of the community certificate of their parents, the applications of the petitioners were rejected and there is no arbitrariness in the action of the respondent. Mere reliance on the community certificate of the daughter of 1st petitioner's brother alone will not entitle the petitioners to seek for community certificates in similar line.

5. Heard the learned counsel for the petitioners 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 when the close relative of the petitioners, viz., daughter of the 1st petitioner's brother was issued with a community certificate, the rejection of the applications of the petitioners is justified or not. Admittedly, the daughter of



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the 1st petitioner's brother had obtained a community certificate on 12.05.1997 itself. The said community certificate was duly verified by the State Level Scrutiny Committee and certified to be true and genuine. The daughter of the 1st petitioner's brother cannot be construed to be a distant relative, as she is the blood brother's daughter. As such, rejecting the petitioners' claim for community certificates 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 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



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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 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.



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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 Tribal 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 daughter of the 1st petitioner's brother got a certificate to the effect that she belongs to Kurumans community, it is not known as to what prevented the respondent in issuance of such certificate to the petitioners and there is no hurdle for the respondent in issuing ST community certificate to the petitioners.

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 same is liable to be set aside. Accordingly, the Writ Petition is allowed. The

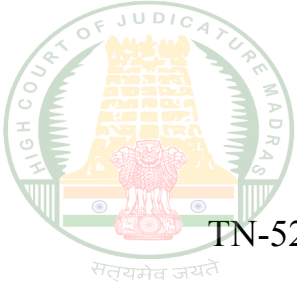
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AND

M.JOTHIRAMAN, J.

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impugned rejection order of the respondent made in Application Number in



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TN-5202506203734 is hereby set aside. The matter is remanded back to the

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respondent for fresh consideration. The petitioners shall produce a copy of the community certificate of the daughter of the 1st petitioner's brother to the respondent and upon consideration of the same, the respondent shall issue community certificate to the petitioners within a period of two weeks from the date of receipt of a copy of the said certificate without adopting dilatory tactics. No costs. Consequently, connected miscellaneous petitions are closed.

(J.N.B.J.) (M.J.R,J.)
07.08.2025

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

The Revenue Divisional Officer,
Dharmapuri,
Dharmapuri District.

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