



W.P.No.28479 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.09.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

and

THE HONOURABLE MR. JUSTICE R.SAKTHIVEL

W.P.No.28479 of 2022

S.Mahendran

... Petitioner

Vs.

The Sub Collector
Mettur
Salem District

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution, praying to issue a Writ of Certiorarified Mandamus, calling for the records in the online order (Application Number:TN5202208082049 dated 08.08.2022) and the online order (Application Number : TN-5202208082540) passed by the respondent and quashing the same, and directing the respondent to issue Kurumans Scheduled Tribe Community Certificates to the petitioner's children viz. M.Suganya and M.Varun Gandhi.

For Petitioner

: Mr.M.Radhakrishnan

For Respondent

: Mr.UM.Ravichandran
Special Government Pleader



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ORDER

WEB M.S.RAMESH, J.
and
R.SAKTHIVEL, J.

This Writ Petition in W.P.No.28479 of 2022 came to be originally disposed on 18.11.2022, as against which, the respondents had challenged the same before the Hon'ble Supreme Court in Civil Appeal No.4330 of 2025. The Hon'ble Supreme Court vide an order dated 18.03.2025, had set aside the Writ Court Order and remitted the matter back to this Court for a fresh consideration predominantly on the ground that an opportunity for the respondents herein to file a counter was not given and thereby requested the High Court to expedite the hearing of the petition and dispose of the same within a stipulated time. Accordingly, the respondents have also filed their counter affidavit before us.

2.We have perused the averments made in the affidavit filed in support of the Writ Petition, as well as the counter affidavit of the respondents and have heard both the learned counsels.

3.As per the community certificate issued by the Revenue Divisional Officer, Mettur, in favour of S.Mahendran / the petitioner herein, he has been certified of belonging to Kurumans Community, which is recognised as a Scheduled Tribe as per G.O.Ms.No.1773 dated 23.06.1984, in Sl.No.18 of the



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S.C. and S.T. Orders (Amendment) Act, 1976. The petitioner's father viz.

L.Sennan has also been issued with the similar certificate, certifying him of belonging to Kurumans Community by the same Revenue Divisional Officer, Mettur.

4. When the petitioner had filed two applications seeking for issuance of community certificates in favour of his children viz. Miss.M.Suganya and Master M.Varun Gandhi, the applications were not processed and the endorsement found in the online status of the applications state that the proof of community certificate submitted by the petitioner was not a document from the concerned department where the community certificate was issued. Challenging these online remarks, the above writ petition has been filed.

5. The learned counsel for the petitioner placed reliance on the Manual of Scheduled Castes / Scheduled Tribes Community Certificates - Issuance and Verification in clause 3.8 (v) and (vi) and submitted that when the petitioner possesses a valid community certificate, the authorities are bound to issue the community certificate as Kurumans for his children also. He also placed reliance on the decision of a Coordinate Bench of this Court in *T.Narasimhan V. The Revenue Divisional Officer, Tirupattur - 635 601*, passed in W.P.No.35585 of



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2023 dated 13.09.2024 for the same.

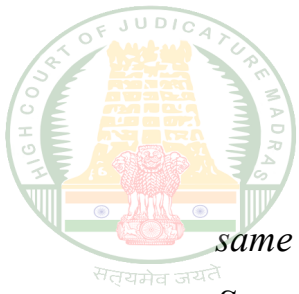
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6.Per contra, Mr.UM.Ravichandran, the learned Special Government Pleader, vehemently opposed the submissions by placing reliance on the averments made in the counter affidavit filed by them and submitted that the community certificate issued to the petitioner's father viz. L.Sennan, was found to be a bogus one, since there are no records of a certificate being issued from the Office of the Revenue Divisional Officer, Mettur Dam. It is also his further submission that 11 of the petitioner's close relatives have been classified as 'Most Backward Class' community, through certificates issued to them and therefore, the petitioner's claim with regard to his communal status requires to be rejected.

7. The Manual of guidelines for issuance and verification of Scheduled Castes and Scheduled Tribes Community Certificates prescribes the mode in which an enquiry has to be conducted prior to issuance of any such certificate.

Clause 3.8(v) and (iv) of the said Manual, reads thus:

“3.8 (v) The caste of the person, is determined on the basis of the caste of their parents. If the parents were granted community certificate by the competent authority, without any further verification, their children, are entitled to the said certificate. The competent authority cannot doubt the certificates issued in favour of the parents unless the



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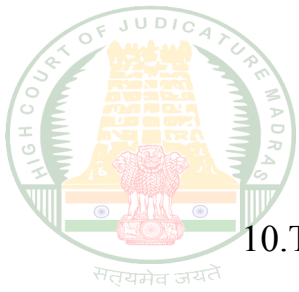
same is set aside or modified by the higher authority i.e. State Level Scrutiny Committee.

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(vi) When the Community Certificate was issued in favour of the parents of the applicants by a competent authority, the other competent authority while examining the application for issuance of such certificates for his children, cannot wish away the said certificate on any ground, unless the same is set aside or modified by the higher authority, as the children of a particular community derive their social status from their parents.

8. Apart from this Manual, there are no other guidelines for regulating the issuance and verification of the S.C. / S.T. certificates. As per the aforesaid Clause, whenever the parents possess a valid S.C. / S.T. certificate, the competent authority is bound to issue the certificates in favour of their children, unless and until the same is set aside or modified by the State Level Scrutiny Committee.

9. Admittedly, in this case, neither the petitioner's S.T. community certificate, nor his father's S.T. certificate, has been cancelled or modified by the State Level Scrutiny Committee. As a matter of fact, verification of the sanctity of the certificates, is yet to be referred to the State Level Scrutiny Committee till date, as per the admission of the learned Special Government Pleader.



10. The Coordinate Bench of this Court in **T.Narasimhan's** case cited **supra**, had placed reliance on the order passed in a batch of Writ Petitions in W.P.Nos.17231 and 17232 of 2015, etc., dated 22.04.2016 and had come to the conclusion that whenever a candidate applying for a S.T. Community Certificate, relies upon the community certificate of his / her parents, the competent authority should accept the same and issue the S.T. Community Certificate. The relevant portion of that order relied upon by the Coordinate Bench reads as follows:

"15. The competent authorities, without following the directions and the guidelines issued by this court, rejecting the applications on erroneous consideration that the applicants belong to Kurumbar (MBC) Community which is not notified under the Presidential Notification. Hence, in addition to the above guidelines, we would like to issue further directions as follows:

i) The competent authority while issuing the community certificate, should consider the Schedule 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 Schedule Tribe Community Certificate to the 16 applicants.

ii) The competent authority should not reject the application



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referring the name of Kurumbar(MBC) while deciding the claim for issuance of Kurumans (ST) community certificate as authorities are not entitled to refer the name of Kurumbar (MBC) for the purpose of deciding the issue of granting Kurumans(ST) Community Certificate.

11. When the verification process on the genuineness of the community certificate of the petitioner is yet to commence, we fail to understand as to how the competent authority can withhold issuance of the S.T. certificates to the petitioner's children. Since the certificate is admittedly valid as on date, the petitioner's two minor children are entitled to receive their community certificates, in the light of our foregoing discussions.

12. Accordingly, the online remarks with regard to online Applications Number:TN5202208082049 and TN-5202208082540 dated 08.08.2022 are set

M.S.RAMESH, J.
and
R.SAKTHIVEL, J.

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aside. Consequently, there shall be a direction to the respondents herein to process the petitioner's online Applications Number:TN5202208082049 and TN-5202208082540 dated 08.08.2022 and issue the certificates, certifying M.Suganya and M.Varun Gandhi, of belonging to Kurumans Community, which



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is recognised as a Scheduled Tribe. Such process shall be completed within a

period of four (4) weeks from the date of receipt of a copy of this order.

13.In the result, this Writ Petition stands allowed. No costs.

[M.S.R, J.]

[R.S.V, J.]

24.09.2025

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Index: Yes / No

Neutral Citation

Speaking / Non Speaking

To.

1.The Sub Collector

Mettur

Salem District

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