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W.P.No.29064 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2025

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.29064 of 2023

M.Logeshwaran

... Petitioner

Vs.

1.The District Collector,
The District Collectorate Office,
Puducherry – 605 110.

2.The Tahsildar
Villiyannur Taluk,
Puducherry – 605 110.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records of Impugned Order dated 04.09.2023 issued by the second respondent through his proceedings No.4446/TOV/A3/MS/2023 and quash the same as arbitrary and non-est in laws and further direct the second respondent to issue no caste no religion certificate to the petitioner.

For Petitioner : Mr.G.Sasi Kannan

For Respondents : Mrs.V.Usha

Additional Government Pleader



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(Pondy)

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ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus to call for the records of the order dated 04.09.2023 issued by the second respondent through his proceedings No.4446/TOV/A3/MS/2023 and quash the same as arbitrary and non-est in laws and further direct the second respondent to issue No Caste No Religion Certificate to the petitioner.

2.The learned counsel appearing for the petitioner submitted that the petitioner do not want to call himself that he belong to particular community or particular religion and he wants to be a secular man and hence the petitioner made representation to the respondents seeking issuance of No Caste No Religion Certificate, however, the respondents rejected his request vide impugned order. The learned counsel further submitted that the petitioner is ready to forgo the benefits available to the particular community or particular religion and further submitted that to that extent the petitioner has filed an affidavit dated 08.11.2025.

3.The learned counsel appearing for the petitioner submitted that the issued involved in the writ petition is no longer res integra.



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It has already been decided by the Hon'ble Division Bench of this Court in ***W.P.No.18488 of 2016 [G.Balakrishnan Vs. State of Tamilnadu represented by the Secretary to Government]*** dated ***15.06.2016***, wherein, the Hon'ble Division Bench relied upon G.O.Ms.No.205, School Education (C-2) Department, dated 31.07.2000 and held that if any person does not want the caste to be disclosed, there is no need to mandatorily to do so. The learned counsel further submitted that the Hon'ble Division Bench of this Court in ***W.A.No.401 of 2025 [H.Santhosh Vs. The District Collector, Thirupathur District]*** dated ***10.06.2025*** directed the respondents therein to issue No Caste No Religion Certificate to the appellant therein. Hence, this Court may set aside the impugned order and issue direction to the second respondent to issue No Caste No Religion Certificate to the petitioner.

4.The learned Additional Government Pleader (Pondy) submitted that in future if the petitioner's wife and children want certificate for particular community or religion, then there will be problem for the revenue department to issue such certificate.

5.Heard the arguments advanced on either side and perused the



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materials available on record.

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6. Admittedly, petitioner made representation to the respondents seeking issuance of No Caste No Religion Certificate and the same was rejected by the respondents. The petitioner is ready to forgo the benefits available to the particular community or particular religion. To that extent, the petitioner has filed an affidavit dated 08.11.2025, the relevant portion of which is extracted hereunder:

"3. I further declare that I shall not, at any point of time, claim, obtain, or enjoy any form of reservation, privilege, or concession extended by the Government or any authority on the basis of caste or religion. This undertaking shall also apply to my family, spouse and children, who shall likewise not claim or derive any benefit arising out of caste or religion.

4. I state that I am executing this affidavit voluntarily and consciously, after careful consideration and with full understanding of the social and legal implications of renouncing my caste and religion. I am fully aware that after issuance of the "No Caste No Religion Certificate", I shall not be entitled to claim any benefit or advantage reserved for any caste or religious category under any existing or future



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law, rule, or government policy.”

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7.It is useful to extract hereunder the relevant portion of the decision of the Hon'ble Division Bench of this Court in **W.P.No.18488 of 2016 [G.Balakrishnan Vs. State of Tamilnadu represented by the Secretary to Government]** dated **15.06.2016**:

"With the avowed object of having a classless society, the State Government issued the following Government Order on 31.07.2000, as under:-

GOVERNMENT OF TAMIL NADU

ABSTRACT

Primary Education – Conferring of right to those who do not wish to mention religion and caste in school certificate – Orders issued.

SCHOOL EDUCATION (C2) DEPARTMENT

G.O.Ms.No.205 Date: 31.07.2000

**Read:G.O.Ms.1210 of Education Department dated
02.07.1973**

ORDER:

In the G.O. read above, it has already been instructed to the Director of School Education that



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those who wish not to mention their religion or caste in the Secondary School Leaving Certificate and Transfer Certificate be permitted to mention 'No Religion, 'No Caste' against those columns or leave the columns blank. As it has come to notice that this is not being duly followed, the Director of School Education and the Director of Primary Education are instructed to scrupulously follow the instructions contained in the said G.O. in future as well. It is also ordered that further, while seeking admission or at any other time, when the parents do not wish or unable to disclose the religion and caste, the same need not be insisted upon.

/By the order of the Governor/

M.A.GOWRISANKAR

Secretary to Government.

To

The Director of Primary Education, Chennai-6.

The Director of School Education, Chennai-6.

2. The learned counsel appearing for the petitioner submits that this Government Order is observed in breach and needs to be re-emphasised.

3. We are in agreement with the submission of the learned counsel for the petitioner and thus direct the respondents to circulate the Government Order giving wide



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publicity, so that such persons who do not want to declare their caste or religion are not compelled to do so.

4. In so far as the Transfer Certificate is concerned, we cannot issue a mandatory direction that caste should not be disclosed because some people may want to do so. However, if any person does not want the caste to be disclosed, we feel there is no need to mandatorily to do so, keeping in mind the aforesaid Government Order.

5. The writ petition, accordingly, stands disposed of. No costs."

8.It is also useful to extract hereunder the relevant portion of the decision of the Hon'ble Division Bench of this Court in ***W.A.No.401 of 2025 [H.Santhosh Vs. The District Collector, Thirupathur District]*** dated **10.06.2025**:

"9. We are of the considered view that the claim of the appellant to have himself and his family members certified by the Government of not belonging to any caste or any religion is a laudable claim, which in the long run, would promote prohibition of caste based discrimination and also would be an eye opener for like minded citizens.



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10. Accordingly, we call upon the Government of Tamil Nadu to pass necessary Government Orders, with a specific instruction to the Revenue Authorities to positively entertain applications seeking for grant of certificate of "No Caste No Religion".

11. In the light of the above discussions, the order passed by the Writ Court in W.P.No.1290 of 2024 dated 22.01.2024 is set aside. Consequently, there shall be a direction to the 1st and 2nd respondents herein to forthwith entertain the appellant's representations dated 25.09.2023 and 15.12.2023 and issue a "No Caste No Religion" certificate to the appellant herein, atleast within a period of one month from the date of receipt of a copy of this judgment. The Writ Appeal stands thus allowed. No costs."

9. Following the decisions cited supra, this Court is inclined to set aside the impugned order. Accordingly, the order dated 04.09.2023 issued by the second respondent through his proceedings No.4446/TOV/A3/MS/2023 is set aside. The second respondent is directed to issue No Caste No Religion Certificate to the petitioner, within a period of four weeks from the date of receipt of a copy of this



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order. However, this Certificate is not binding on the petitioner's wife or children. If the petitioner's wife or children wants certificate for a particular community or a particular religion, the officials of the revenue department shall peruse the petitioner's parents certificate or his wife's parents certificate and issue certificate to the petitioner's wife and children.

10.This writ petition is allowed with the above direction and observation. No costs.

10.11.2025

pri

Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

To

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The District Collectorate Office,
Puducherry – 605 110.

2.The Tahsildar
Villiyannur Taluk,
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