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W.P.No.29745 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2025

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THE HON'BLE MR. JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Writ Petition No.29745 of 2024

P.Catherine Joyce

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep by the District Collector,
Collectorate,
Kanchipuram District – 631 501.
2. The Revenue Divisional Officer,
Collectorate, RDO Office,
Kanchipuram District – 631 501.
3. The Tahsildar,
Railway Rd, Thiruveethipallam,
Kanchipuram District – 631 501.
4. The Tahsildar,
Taluk Office, S.P.Road,
Walajabad, Tamil Nadu – 631 605.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India



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for issuance of Writ of Mandamus to direct the respondents to consider the petitioner's representation dated 17.08.2024 and consequently, to issue Community Certificate as belonging to Christian – Maravars of Backward Class on considering her Mother's Community Certificate.

For Petitioner : Mr.D.Manimaran
For R1 to R4 : Mr.Vadivelan Deenadayalam,
Additional Government Pleader

ORDER

(Order of the Court was made by S.M.SUBRAMANIAM,J.)

The writ of mandamus has been instituted to direct the respondents to consider the representation submitted by the petitioner on 17.08.2024 and consequently, to issue Community Certificate as belonging to Christian – Maravars of Backward Class on considering her mother's Community Certificate.

2. The petitioner states that she is a Post Graduate Degree Holder completed M.A English in the year 2020. Presently, the petitioner is pursuing B.Ed course in Loyola College of Education. She has submitted an application to the respondents to issue Community Certificate as belonging to Christian – Maravars of Backward Class. Since the application has not



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been considered the present writ petition came to be instituted.

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3. The Tahsildar filed a counter affidavit stating that the petitioner has obtained her first Community Certificate as Christian Maravar in Backward class based upon her mother viz., Ruby Vellaiyammal's community on 21.09.2011 and the above said community certificate has been given as per G.O.No.28 Backward classes and Most Backward classes Welfare dated 19.07.1994. The petitioner has subsequently obtained a second Community Certificate as Christian Adi Dravidar based upon her father Padamanaban's community on 06.11.2012. With this certificate, the petitioner has proceeded with her education etc. The petitioner has once again applied and got another community certificate as Christian Adidraavidar based upon her father's community on 10.06.2015, through on-line process. As per G.O.(Ms)No.08 dated 09.02.2021, the children born out of inter-caste marriages, shall be considered to belong to either the community of the father or the community of the mother according to the declaration of the parents. This has been in view of numerous requests to the Government from persons having married inter-caste to issue community certificate to their children based on either of the parent's community. While this may be so, I state that this G.O does not confer the right to anyone to consistently keep making applications and



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oscillate between the community of the father and the mother. If requests such as the instant one made by the petitioner are entertained, then there would be no end to such applications as well as the consequent misuse of a benefit which was extended by the Government in good light.

4. The petitioner currently seeking a Community Certificate on the basis of her mother's Community vide her petition dated 14.03.2024 which was received by the Tahsildar on 16.05.2024. There was also another application made by her on 29.04.2024 for which, a reply has been already given on 24.06.2024.

5. The fourth respondent has stated that the Christian – Maravar community is not available in the Government Gazette and only Maravar is there. The said Maravar is also listed on-line as De-notified community i.e., DNC. The petitioner has not given any application through on-line processes from the year 2018 to 2024.

6. In the context of the above submissions, this Court is of the considered opinion that there is no separate community namely Christian – Maravar in the Government Gazette and the Maravar community alone is available in the Government Gazette. The said community is listed on-line as



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a De-notified community. Pertinently, the Community Certificates were issued to the father of the petitioner and to the mother of the petitioner separately, thereafter the petitioner also obtained Community Certificate.

7. Under these circumstances, once again directing the respondents to issue a Community Certificate as the petitioner belongs to Christian – Maravar of Backward class which is not available in the Government Gazatte, deserves no merit consideration. Writ petition stands dismissed. There shall be no order as to costs.

(S.M.S., J.) (K.R.S., J.)

12.02.2025

ssi

Index: Yes

Speaking Order: Yes/No

Neutral Citation Case : Yes/No

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