



WEB COPY

W.P.No.33015 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.02.2025

CORAM :

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE K.RAJASEKAR

W.P.No.33015 of 2024

1. P.Elumalai
2. Mrs.Kalaivani
3. E.Vinoth
4. E.Anandhan .. Petitioners

v.

The Revenue Divisional Officer
Thiruvannamalai
Thiruvannamalai District .. Respondent

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order dated 29.08.2024 and 30.08.2024 made in application Nos.TN-5202408214734, 5202408214968, 5202408215157 and 5202408215316 on the file of the respondent and quash the same and consequently direct the respondent to issue online/digital "Kattunayakan Scheduled Tribe community certificates to the petitioners on the basis of manual community certificates Nos.220938, 220939, 220940 and 220941, R.Dis.1528/2010E dated 28.10.2010 issued by RDO, Chengalpet and in light of the SLSC proceedings No.6591/CV-4(1)/2014-13 dated 28.03.2022 within a stipulated time.



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For Petitioners :: Mr.N.Naganathan

For Respondent :: Mr.Vadivelu Deenadayalan
Additional Government Pleader

ORDER

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

W.M.P.No.35794 of 2024 seeking to permit the petitioners to file a single writ petition stands ordered.

2. The rejection of online applications submitted by the writ petitioners seeking Kattunayakan-Scheduled Tribe community certificates, is under challenge in the present writ proceedings.

3. The petitioners' state that they belong to Hindu Kattunayakan Scheduled Tribe community. They are permanent residents of Keezhkaripur Village and post, Keezhpennathur Taluk, Thiruvannamalai District. They are temporarily residing at Urapakkam Village, Chengalpet Taluk. The petitioners submitted online applications. The respondent-Revenue Divisional Officer rejected the applications by stating that the applicants



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have not submitted any document to establish that they belong to Hindu Kattunayakan community. The other reason stated is that the petitioners' father has obtained certificate from other district. Hence lineage and enquiry of relatives could not be done. Citing these two reasons, the applications were rejected.

4. Scheduled Tribe community certificate cannot be issued by the authorities in a routine manner. Investigation and enquiry have to be conducted properly and in the event of issuing any such false or incorrect certificate, repercussions will be large, since the persons who are not eligible to avail the reservation benefits, will be enjoying the benefits. Therefore, the importance of community certificate for Scheduled Tribe candidates is to be taken into consideration while dealing with the applications seeking issuance of the Scheduled Tribe community certificates. The authorities are bound to conduct a thorough investigation. In the event of issuing any false certificate by the Revenue Divisional Officer concerned, he/she must be personally held responsible and accountable. The District Collector concerned, in the event of identifying



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any false Scheduled Tribe community certificate, should initiate all appropriate actions against the Revenue Divisional Officer who issued such a certificate. Taking note of the serious implications that may be caused in issuance of such false Scheduled Tribe community certificates, this Court is of the considered opinion that without conducting investigation and enquiry independently, the Scheduled Tribe community certificate cannot be issued in a routine manner.

5. In the present case, the petitioners' have not produced any document to the satisfaction of the authorities. Further, the Kattunayakan community certificate possessed by the father of the petitioners, was obtained in another District, which cannot be considered for issuance of certificate by the respondent herein.

6. The learned counsel for the petitioners would submit that when the petitioners have enclosed the copies of the certificates issued in their favour, this Court, based on the said certificates, has to consider issuing a direction to the respondent to issue the Kattunayakan-Scheduled Tribe certificates to



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the petitioners.

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7. Such an argument is absurd, in view of the fact that the High Court cannot conduct a roving enquiry in respect of the community certificate to be issued to the applicant concerned. The High Court, in the absence of adjudication on facts, cannot issue a direction to grant community certificate in exercise of the powers of judicial review under Article 226 of the Constitution of India. Therefore, writ petitions seeking direction to issue the Scheduled Tribe community certificate are not entertainable and the aggrieved persons have to exhaust all the remedies including the appellate remedy available and only thereafter, based on the findings on facts and merits, a writ petition may be entertained. In view of the facts and circumstances, we do not find any merit in the present writ petition and accordingly, it is dismissed. Consequently, W.M.P.No.35795 of 2024 is also dismissed. No costs.

Index : yes
Neutral citation : yes
ss

(S.M.S.,J.) (K.R.S.,J.)
13.02.2025



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To

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1. The Revenue Divisional Officer
Thiruvannamalai
Thiruvannamalai District



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S.M.SUBRAMANIAM,J.

AND

K.RAJASEKAR,J.

SS

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