



WEB COPY

W.P.No.36099 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.No. 36099 of 2024

Thota Satya Durga

...Petitioner

Vs.

1.The Registrar Recruitment,
High Court of Madras - 600104.

2.The Deputy Collector, Revenue,
Office of the Sub-Collector,
Yanam - 533464.

3.The Deputy Tasildhar,
Sub-Taluk Office,
Yanam - 533464.

...Respondents

Prayer: Writ Petition filed under 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records on the file of the 2nd respondent in proceedings No.3297/DCRY/D.1/EWS_APPEAL/2024 dated 10.10.2024 and quash the same as illegal, incompetent and without jurisdiction and further direct the 1st respondent to reserve a post in the office of Multi-Tasking staff, Judicial Department pending disposal of the writ petition.



WEB COPY

W.P.No.36099 of 2



For Petitioner : Mr.V.Raghavachari, Senior Counsel
Mrs.V.Srimathi
For Respondents : Mr.Suhrith Parthasarathy for R1
Mr.R.Sreedhar
Addl. Government Pleader (Puducherry)
for R2 & R3

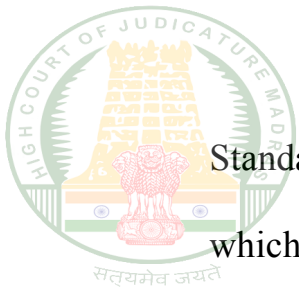
ORDER

(Order of the Court was made by R.SUBRAMANIAN, J.)

The petitioner's claim for a residence certificate was rejected by the original authority namely, Deputy Tasildhar, Yanam on 24.09.2024. The petitioner filed an appeal before the Deputy Collector, Yanam. Upon rejection of the appeal, the petitioner has come up with this writ petition.

2. Mr.V.Raghavachari, learned Senior Counsel appearing for the petitioner would point out that the Authority has chosen to rely upon a report of the Village Administrative Officer and the Tasildhar which go against records, dating back to 2003. The learned Senior Counsel would draw our attention to the study certificate issued by the Head Mistress, Kona Venkata Raju Government Primary School, Kanakalapeta, Yanam, which certifies that the petitioner has pursued studies from 1st Standard to 5th

2/6



Standard in the said School. The Secondary School Leaving Certificate, which has been issued on 17.05.2013 shows that the petitioner has pursued her education at M.G. Government Boys High School, Yanam. The Headmistress of the said school namely, M.G.Government Boys High School had issued a certificate on 15.06.2013 to the effect that she studied from Class 8 to Class 10 in the said school. The petitioner has completed her intermediate education on 28.04.2015 at Sri Ravi Junior College, Kapulapalem at Andhra Pradesh. A nationality certificate has been issued to her on 27.05.2013 stating that she is residing at No.7-10-025, Panchala Street, Yanam and her residence certificate has also issued on the said date stating that she is a resident of Union Territory of Puducherry for the last five years. This residence certificate has been renewed in the year 2015 and 2018.

3. The Nationality Certificate dated 27.05.2013 is signed by Village Administrative Officer, Yanam, Revenue Inspector, Yanam and the Deputy Tahsildar. The ID card issued to the petitioner on 27.10.2015 by the Employment Exchange also shows that she is a resident of Door No.7-10-025, Panchala Street, Yanam at Puducherry. On 03.09.2019, income and



asset certificate has been issued to the petitioner by the Deputy Tahsildar-cum-Executive Magistrate, Yanam stating that she is a permanent resident of Panchala Street, Yanam Village.

4. From the above documents, it is seen that the petitioner has been a resident of Yanam at least from 2003. Overlooking all these documents and relying upon a particular sentence in guidelines issued for issuance of community certificates to the effect that even if documents are produced, if it is shown that the person is not resident within the Union Territory of Puducherry, the residence certificate need not be issued, the Authority have chosen to reject the claim of the resident certificates. We find that the rejection is wholly illegal.

5. No doubt, a discretion is conferred on the Authorities to ignore certificates issued earlier but, that could be done, upon proof of the fact that the petitioner was not residing in the said address. One circumstance which show that the Authorities had acknowledged that the petitioner is residing in the address namely, Door No.7-10-025, Panchala Street, Yanam is the fact that the order impugned in the writ petition dated 10.10.2024 was



W.P.No.36099 of 2

communicated to her at the very same address namely, Door No.7-10-025, Panchala Street, Yanam. Therefore, it is clear that the rejection is for extraordinary reasons and not for valid reasons.

6. Hence, this Writ Appeal is **allowed**. There will be a direction to the Authorities to issue residence certificate within a period of 15 days from the date of receipt of a copy of this order. Once the certificate is issued, the Registrar General will take further action on the claim of the petitioner for appointment as a Multi Tasking Staff, depending upon the marks scored by her. No costs.

(R.S.M., J.) (G.A.M., J.)
14.02.2025

kkn

Index: No
Speaking
Neutral Citation : No



WEB COPY

To:

- 1.The Registrar Recruitment,
High Court of Madras - 600104.
- 2.The Deputy Collector, Revenue,
Office of the Sub-Collector,
Yanam - 533464.
- 3.The Deputy Tasildhar,
Sub-Taluk Office,
Yanam - 533464.



W.P.No.36099 of 2

R.SUBRAMANIAN, J.
and
G.ARUL MURUGAN, J.

KKN

W.P.No. 36099 of 2024

14.02.2025