



W.P.No.4830 of 2025

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

Writ Petition No.4830 of 2025

1. R.P.Rakshidh

Represented by his natural guardian and his mother,
Mrs.Dhivya N Reddy

2. R.P.Lakhshanya

Represented by his natural guardian and her mother
Mrs.Dhivya N Reddy

... Petitioners

Vs.

1. The District Collector,

Collectorate,
No.62, 4th Floor, Beach Road,
George Town, Chennai – 1.

2. The Revenue Divisional Officer,

Chennai South Zone,
Guindy, Chennai.

3. The Revenue Divisional Officer,

Kasinathapuram, Tiruttani,
Thiruvallur – 631 209.

... Respondents



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Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order dated 29.05.2023 vide Se.Mu.Aa.No.Aa1/1332/2023, passed by the 2nd respondent and quash the same and consequently direct the respondents to issue community certificate to the petitioners within a time frame as may be fixed by this Court.

For Petitioners : Mr.Meiyappan Mohan

For R1 to R3 : Mr.Vadivelu Deenadayalan
Additional Government Pleader

ORDER

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

The order passed by the Revenue Divisional Officer, Chennai South Zone rejecting the application submitted by the petitioners seeking Scheduled Tribe Community Certificate is under challenge in the present writ proceedings.

2. Issuance of Scheduled Tribe Community Certificate is to be granted only after conducting thorough investigation and enquiry. Procedures are contemplated under various Government Orders. The genuinity of the claim relating to the community of a person is to be investigated in the manner



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contemplated.

3. In the present case, the application submitted by the petitioners since not considered, they filed W.P.Nos.9693 & 9694 of 2023 and this Court directed the Revenue Divisional Officer to consider and pass orders on the application submitted by the petitioners. Pursuant to the orders of this Court in the writ petitions on 27.03.2023, the impugned order has been passed in proceeding dated 29.05.2023.

4. High Court cannot adjudicate the disputed facts relating to community of the person. It requires adjudication based on documents and evidences available on record and further enquiry is to be conducted with reference to the claim. Therefore, the power of judicial review cannot be expanded for conducting a roving enquiry into such nature of disputes and the parties have to exhaust the alternate remedies contemplated.

5. Findings of the Original Authority and the Appellate Authority would be of greater assistance to the High Court for the purpose of exercise of the powers of judicial review in an effective manner. Thus, this Court is of the considered opinion that the petitioners have to preferred an appeal



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before the District Collector, who is the Appellate Authority.

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6. In view of the matter, the petitioners are at liberty to file an appeal before the District Collector and on receipt of any appeal, the District Collector shall conduct an enquiry and take a decision as expeditiously as possible. The writ petition stands disposed of. There shall be no order as to costs.

(S.M.S., J.) (K.R.S., J.)
13.02.2025
(1/3)

ssi
Index: Yes
Speaking Order: Yes/No
Neutral Citation Case : Yes/No

To

1. The District Collector,
Collectorate,



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No.62, 4th Floor, Beach Road,
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2. The Revenue Divisional Officer,
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Guindy, Chennai.
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S.M.SUBRAMANIAM., J.

AND

K. RAJASEKAR., J.



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