



W.P.(MD)No.2685 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED:30.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

and

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

W.P.(MD)No.2685 of 2025

Kumaresan

: Petitioner

Vs.

- 1.The Tamil Nadu State Level Scrutiny Committee,
Represented by its Chairman and Secretary,
Adidraavidar and Tribal Welfare Department,
Namakkal Kavingar Maligai, Secretariate,
Chennai – 9.
- 2.The Tamil Nadu State Level Scrutiny Committee,
Represented by its Member Secretary,
The Director / Commissioner, Department of Tribal Welfare,
Chepauk, Chennai.
- 3.The Tamilnadu State Level Scrutiny Committee,
Represented by its Member,
An Anthropologist,
The Director / Commissioner, Department of Tribal Welfare,
Chepauk, Chennai.



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4.The District Collector,
Pudukottai District.

5.The Revenue Divisional Officer,
Illuppur,
Pudukkottai District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents 1 to 3 to conduct detailed enquiry on my appeal dated 11.11.2024 and consequently direct them to pass suitable order with relates to issuance of Hindu Kurumans (ST) to the petitioner by considering his brother-in-law's Community Certificate, which was issued by the Revenue Divisional Officer, Trichy vide in No.2692083 dated 03.05.1996, within a time frame as may be fixed by this Court.

For Petitioner : Mr.V.Muthuvelan

For Respondents 1 to 3 : Mr.S.Shaji Bino

Special Government Pleader

ORDER

[Order of the Court was made by **M.S.RAMESH, J.**]

By consent of both sides, the writ petition itself is taken up for final disposal at the stage of admission itself.



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2.This writ petition has been filed for a Mandamus to direct the respondents 1 to 3 to conduct detailed enquiry on the petitioner's appeal dated 11.11.2024 and for a consequential direction to issue Hindu Kurumans (ST) Certificate to the petitioner by considering his brother-in-law's Community Certificate, which was issued by the Revenue Divisional Officer, Trichy vide in No.2692083 dated 03.05.1996.

3.The petitioner herein had preferred an appeal before the first respondent on 11.11.2024, in this regard. Since the said appeal has not considered, the present writ petition has been filed.

4.It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of the India and direct them to consider the same within a stipulated time.



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5.In the light of the above observations, there shall be a direction to the first respondent to consider and dispose of the petitioner's appeal dated 11.11.2024, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner herein within a period of 45 days from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the concerned respondent to consider the same on its own merits.

6.With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

[M.S.R.,J.] & [A.D.M.C.,J.]

30.01.2025

Neutral Citation : Yes/No

Index : Yes/No

Internet : Yes/No

MR



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and

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ORDER MADE IN

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