



W.P.(MD)No.4367 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 27.02.2025

CORAM:

**THE HON'BLE MRS JUSTICE J. NISHA BANU
AND
THE HON'BLE MRS JUSTICE S.SRIMATHY**

W.P.(MD)No.4367 of 2025

R.Vellaidurai

...Petitioner

-Vs-

1.The District Collector,
Karur District, Karur.

2.The Revenue Divisional Officer,
Karur District, Karur.

...Respondents

PRAYER:Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondents to issue community certificate to the petitioner's son Siva Rahul and daughter Siva Sakthi certifying “ Kattu Nayakkan Community” as Schedule Tribes forthwith.

For Petitioner	: Mr.N.Shanmuga Selvam
For Respondents	: Mr.Veerakathiravan Additional Advocate General assisted by Mrs.D.Farjana Ghoushia Special Government Pleader



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ORDER

(Order of the Court was made by **J.NISHA BANU, J.**)

This writ petition has been filed to direct the respondents to issue community certificate to the petitioner's son Siva Rahul and daughter Siva Sakthi as if they belong to Kattu Nayakkan Community as Schedule Tribes forthwith.

2.The contention of the petitioner is that the petitioner belongs to Kattu Nayakkan Community. The petitioner applied for community certificate to his children by annexing the community certificate issued to him. In pursuant to the application, the second respondent by letter dated 16.05.2024 requested the Revenue Divisional Officer, Trichy to verify the genuineness of the petitioner's community certificate. Thereafter, no action was taken. Hence, the petitioner has made a representation dated 04.12.2024 to the respondents seeking to issue community certificate. Since the same was not acted upon, the petitioner has filed this writ petition.

3.The learned Additional Advocate General appearing for the respondents submits that the community certificate stands in the name of the petitioner is not genuine and the petitioner has obtained his community certificate by playing fraud. Enquiry on genuineness of the petitioner's community



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certificate is pending before the authorities concerned. He further submitted that enquiry regarding genuineness of the certificates issued to some of the petitioner's relatives are also in progress. Hence, the authorities are not in a position to issue the community certificates to the petitioner's children as sought by him.

4.Heard the learned counsel appearing on either side and perused the materials placed on record.

5.Admittedly, as on today, the petitioner is having a community certificate as if he belongs to Kattunayakan Community. The said certificate is not cancelled till date. The enquiry about the genuineness of the petitioner's community certificate is only pending before the Revenue Divisional Officer.

6.The petitioner's son, namely Siva Rahul is studying 12th standard and the daughter of the petitioner, namely Siva Sakthi is doing college final year. Taking into consideration the fact that the petitioner's community certificate is still in existence and the children of the petitioner are studying, the second respondent is directed to issue community certificate to the petitioner's children, namely, Siva Sakthi and Siva Rahul as sought by the petitioner forthwith.



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7. We further direct the second respondent to complete the process of enquiry against the petitioner's certificate and pass orders in accordance with law after affording an opportunity of hearing to the petitioner within a period of twelve (12) weeks from the date of receipt of a copy of this order by following the due process of law. The petitioner shall cooperate with the enquiry pending before the second respondent. On completion of enquiry, if the second respondent finds that the community certificate of the petitioner is not genuine or it was obtained by playing fraud, the second respondent shall take action in accordance with law. The certificate issued to the children will be subject to the outcome of the enquiry on the certificate issued to the petitioner.

8. With the above directions, this writ petition is disposed of. No costs.

(J.N.B.,J.) (S.S.Y.,J.)
27.02.2025

Index : Yes/No
Internet : Yes/No
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J. NISHA BANU,J.
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