



W.P(MD)No.4909 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.06.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

W.P(MD)No.4909 of 2025

M.Sri Sindhu

... Petitioner

vs.

1.The Chairman,
State Level Scrutiny Committee – II,
Adi Dravidar & Tribal Welfare Department,
Secretariat,
Chennai – 9.

2.The District Collector,
Tirunelveli District.

3.The District Collector,
Karur District.

4.The Revenue Divisional Officer,
Tirunelveli Division,
Tirunelveli District.

5.The Revenue Divisional Officer,
Karur Division,
Karur District.

... Respondents



W.P(MD)No.4909 of 2025

WEB COPY

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, calling for the records of the fourth respondent in its proceedings Moo.Mu.A7/4194/2024 dated 15.07.2024 quash the same as illegal and consequently direct the second respondent herein to issue the Hindu-Kattunayakkan Scheduled Tribe (ST) Community Certificate to the petitioner's daughter namely S.S.Dharshini and son namely S.S.Guru Prasath based on the geneunity certificate issued by the first respondent proceedings in No.855/CV-2(2)/2017-5 dated 28.05.2024 to the petitioner own sister M.Sri Lakshmi and the petitioner's community certificate, Certificate No. 2662001 issued by the Revenue Divisional Officer, Tirunelveli dated 16.03.1992 within the period stipulated by this Court.

For Petitioner : Mr.V.Palanichamy

For Respondents : Mr.M.Sarangan
Additional Government Pleader

ORDER

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

The Writ Petition has been instituted challenging the order passed by the fourth respondent dated 15.07.2024.



W.P(MD)No.4909 of 2025

WEB COPY

2.Today, when the matter was taken up for hearing, the learned Additional Government Pleader appearing for the respondents produced a copy of the Scheme for redressal of the grievances relating to the Community Certificates issued by the Government in G.O.Ms.No.147, Revenue [RA-3(2)] Department dated 17.03.2016. As per the said Government Order, the original authority is the Revenue Divisional Officer. The first Appellate Authority is the District Collector. However, the State Level Scrutiny Committee ie., the second Appellate Authority is empowered to conduct a detailed enquiry by affording due opportunity to the parties.

3.Factual findings of these authorities relating to the community of a person is of paramount importance and in the absence of such factual findings, High Court may not be in a position to exercise the powers of judicial review in an effective manner. Disputed facts relating to the community issues cannot be decided by the High Court under Article 226 of the Constitution of India.

4.Therefore, the aggrieved person has to exhaust the remedies contemplated under the Scheme and the final authority is the State Level Scrutiny



W.P(MD)No.4909 of 2025

WEB COPY

Committee headed by the Principal Secretary to the Government and the members, who are all well-versed with the custom practice and other aspects relating to the community matters.

5.The learned Additional Government Pleader appearing for the respondents would submit that pending the Writ Petition, the petitioner preferred an appeal before the District Collector, Tirunelveli and the same was dismissed on 26.03.2025.

6.In view of the Government Order issued in G.O.Ms.No.147, Revenue [RA-3(2)] dated 17.03.2016, the writ petitioner is at liberty to prefer an appeal before the State Level Scrutiny Committee.

7.In the event of preferring any such appeal, the second Appellate Authority, namely, the State Level Scrutiny Committee, shall take into consideration the period during which the Writ Petition was pending before this Court for the purpose of condoning the delay, if any and decide the issues on merits and in accordance with law, as expeditiously as possible.



W.P(MD)No.4909 of 2025

WEB COPY

8. Accordingly, this Writ Petition stands disposed of. There shall be no order as to costs.

[S.M.S.,J.] & [A.D.M.C.,J.]
10.06.2025
(2/2)

NCC : Yes / No
Index : Yes / No
Internet : Yes
ps

To

1. The Chairman,
State Level Scrutiny Committee – II,
Adi Dravidar & Tribal Welfare Department,
Secretariat,
Chennai – 9.
2. The District Collector,
Tirunelveli District.
3. The District Collector,
Karur District.
4. The Revenue Divisional Officer,
Tirunelveli Division,
Tirunelveli District.
5. The Revenue Divisional Officer,
Karur Division, Karur District.

5/6



WEB COPY



W.P(MD)No.4909 of 2025

S.M.SUBRAMANIAM, J.
and
DR.A.D.MARIA CLETE, J.

ps

ORDER MADE IN
W.P(MD)No.4909 of 2025

DATED : 10.06.2025
(2/2)