



WP(MD). No.6808 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 14/03/2025

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU
AND
THE HONOURABLE MRS.JUSTICE S.SRIMATHY

WP(MD). No.6808 of 2025
and WMP(MD) Nos.5107, 5109 and 5110 of 2025

R.Mohanraj

... Petitioner

v.

1. The Chairman
State Level Scrutiny Committee II
Rep. by the Additional Secretary to Government
Adi Dravidar and Tribal Welfare Department,
Secretariat, Chennai 600 009.

2. The Revenue Divisional Officer,
Madurai
Madurai District.

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records relating to proceedings of the 2nd respondent made in Na.Ka.No.2927455/2025/F dated 26.02.2025 and quash the same and consequently forbear the 1st respondent from reopening the community certificate enquiry of the writ petitioner.



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For Petitioner : Mr.R.Murali
For Respondents : Mr.S.S.Madhavan
Additional Government Pleader

ORDER

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

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

2. This writ petition has been filed challenging the impugned proceedings of the 2nd respondent dated 26.02.2025 and consequently to forbear the 1st respondent from reopening the community certificate enquiry of the writ petitioner.

3. Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents.

4. The case of the petitioner is that he belongs to Hindu Kammara community which is classified as Scheduled Tribe and he was issued with such community certificate by the South Taluk Office, Madurai in

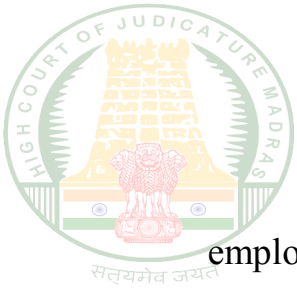


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the year 1973 and none of his family members had obtained the community certificate. He was selected and joined the post of Clerk in the State Bank of India on 11.07.1979. After completing service, he reached superannuation in the year 2010. Though the question of genuineness of the petitioner's community certificate was raised in the year 2021, the impugned enquiry notice was issued on 26.02.2025 asking the petitioner to attend the enquiry to be conducted 28.02.2025, which is after his retirement in the year 2010. Challenging the said order, this writ petition is filed.

5. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondent and perused the materials available on record.

6. It is seen from the records that the petitioner joined service in the State Bank of India on 11.07.1979 and retired from service in the year 2010. Therefore, questioning his community certificate, after a long time that too fifteen years after his retirement is uncalled for. The Government of India have issued guidelines periodically mandating all



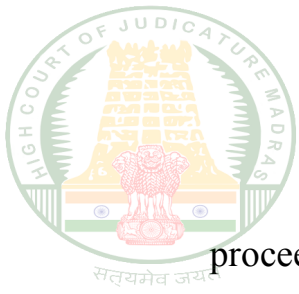
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employers and authorities to undertake verification at the earliest point of time preferably at the time of one's entry into service. In the present case, the petitioner has completed 31 years of service and retired in the year 2010.

7.It is pertinent to point out that the Hon'ble Apex Court and various High Courts have time and again stressed that verification after retirement is a wasteful exercise and would be purely academic. In similar circumstances, in SLP(C) No.24458/2019 dated 03.03.2023, the Hon'ble Apex Court has held as follows:

"It is submitted that the respondent No.1 who served in the Railways has superannuated on 28.02.2022 and therefore, the exercise in this case would largely be academic on the aspect of whether she belonged to the claimed Scheduled Tribe category. Considering the above, we deem it is appropriate to order for closure of the proceedings. Accordingly, the Special leave Petition stands disposed of."

8.Considering the facts and circumstances of the case and in the light of the above decision of the Hon'ble Apex Court, we are inclined to set aside the impugned proceedings. Accordingly, the impugned



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proceedings dated 26.02.2025 of the 2nd respondent is hereby set aside and the Writ Petition stands allowed. However, it is made clear that if the petitioner claims community certificate for his children based on his community certificate, then necessarily, the petitioner's community certificate has to be tested by the respondents. No costs. Consequently, connected miscellaneous petitions are closed.

[J.N.B.,J]

[S.S.Y.,J]

14.03.2025

NCC : Yes/No
Index : Yes/No

RR

To

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