



W.P(MD)No.13850 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.06.2025

CORAM:

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

**W.P(MD)No.13850 of 2025
and
W.M.P.(MD) No.10011 of 2025**

M.Kaliammal

... Petitioner

Vs.

The Revenue Divisional Officer,
Kovilpatti,
Thoothukudi District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, seeking direction to call for the records relating to the impugned order on the petitioner's online application bearing number TN-5202310201345 dated 20.10.2023 passed by the respondent herein and quash the same as illegal and consequently direct them to issue community certificate as 'Kattu Naicker' which comes under the category of Scheduled Tribe (ST) to the petitioner within a stipulated time to be prescribed by this Court.

For Petitioner : Mr.S.Saravanan



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For Respondent : Mr.J.Ashok,
Additional Government Pleader

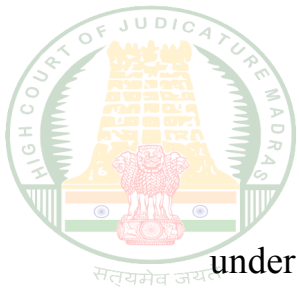
ORDER

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

The rejection of application by the respondent-Revenue Divisional Officer, Kovilpatti to issue community certificate is under challenge in the present writ petition.

2. There is a large scale complaint regarding issuance of community certificate, more specifically to Schedule Caste and Schedule Tribe communities. There are serious allegations of false community certificates and more specifically, the authorities competent are issuing such certificates without conducting a thorough enquiry with reference to the anthropological report, field report, enquiry report, etc. The procedures contemplated for issuing community certificate to Schedule Case/Schedule Tribe is to be scrupulously followed.

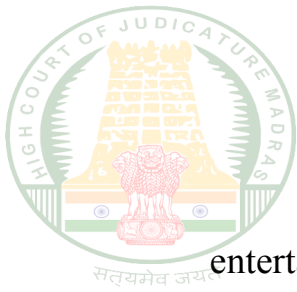
3. In the present case, the application submitted by the petitioner seeking community certificate as “Kattu Naicker” (ST community) is



under challenge. Admittedly, an appeal is contemplated under G.O.(Ms)

No.147, Revenue [RA-3(2)] Department, dated 17.03.2016. After exhausting the appeal remedy before the District Collector, the State Level Scrutiny Committee has to conduct an enquiry, if any person is aggrieved.

4. Exhausting the alternate remedy is of paramount important since issuance of community certificate requires an adjudication with reference to the documents and evidence available on record. High Court in exercise of the powers of judicial review cannot conduct a roving enquiry into the community of the writ petitioner. Disputed facts cannot be adjudicated in a writ proceedings. Therefore, exhausting alternate remedy in the matter of issuance of community certificates must be exhausted before approaching the High Court under Article 226 of the Constitution of India. The finding of fact by the Revenue Department, appellate authority and State Level Scrutiny Committee would be of a greater assistance to the High Court for the purpose of exercise of the powers of judicial review in an effective manner. Thus, the writ petition filed against rejection of application by the revenue authority is not



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entertainable and the matter is to be relegated to the competent appellate authority and the State Level Scrutiny Committee before approaching the High Court by filing writ proceedings. Even in such cases, if writ petitions are entertained, High Court may not be in a position to conduct a roving enquiry. This being the reason, the petitioner is at liberty to approach the appellate authority as per the Government scheme and thereafter, if aggrieved before the State Level Scrutiny Committee for the purpose of redressal of grievance.

5. With the above observations, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

[S.M.S., J.] [A.D.M.C., J.]
02.06.2025

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

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