

W.P.(MD)No.13776 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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RESERVED ON :	30.04.2025
PRONOUNCED ON :	22.08.2025

CORAM:

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

W.P.(MD)No.13776 of 2023
& W.M.P.(MD) Nos.11610 & 11611 of 2023

V.Lata

... Petitioner

Vs.

1. The Deputy Superintendent of Police
SC/ST Vigilance Cell,
Madurai Region, Collectorate Campus,
Madurai- 20

2. The State Level Scrutiny Committee II
rep., by its Chairman,
Additional Secretary to Government,
Adi-Dravidar and Tribal Welfare Department,
Secretariat, Chennai 600 009.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India to



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issue to Writ of Certiorarified Mandamus to call for the records of the 1st respondent in its Notice (91CRPC) dated 22.05.2023, and quash the same and consequently refrain the respondents from making verification into the community status of the petitioner at his belated stage.

For Petitioner : Mr.V.Vijayashankar

For Respondents : Mr.Veera Kathiravan,
Addl. Adv. General assisted by
Mr.M.Sarangan, Addl. Govt. Pleader

ORDER

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

Seeking to quash the impugned Notice issued under Section 91 of Criminal Procedure Code, dated 22.05.2023, passed by the first respondent, the petitioner has filed the present writ petition.

2. The facts of the case are as follows:-

2.1. The petitioner's family belongs to Konda Reddis (ST) community, which falls under the category of 'Schedules Tribes' as per the Constitution (Scheduled Tribes) Order, 1950. She was issued with such community certificate on 14.01.1988 by the Revenue Divisional Officer, Madurai and the Tahsildar.



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Several other family members of the petitioner, including her father and sisters, were also issued with same caste certificates.

2.2. It is submitted by the learned counsel for the petitioner that the caste certificate dated 04.12.1956 of the petitioner's father, was subjected to verification while he was working in Southern Railways in the year 1974 and the same was verified in his favour. When a further round of verification of his certificate was called for, the petitioner's father has approached the Madras High Court by way of filing a writ petition in W.P.No.10465 of 1982, and this Court vide its order dated 07.08.1984, has restrained further verification of his caste certificate.

2.3. While being so, the petitioner, who was appointed as Assistant in the Oriental Insurance Company in the year 1990, was promoted to the post of Senior Assistant. After completion of 33 years of service and hardly 5 more years of service left for retirement, on 22.05.2023, the 1st respondent has issued a notice to the petitioner for verification of her caste certificate, by drawing reference to an earlier notice issued by the second respondent from 02.11.2021.

2.4. The petitioner has submitted her objections on 02.06.2023, citing Government of India's DoPT guidelines and the decision of this Court made in



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W.P.No.5737 of 2022, dated 28.10.2022, and also the directions from the

Parliamentary Committee on Scheduled Tribes, which bars belated verifications.

Against such verification called for by the first respondent, the present petition has been filed.

3. According to the learned counsel for the petitioner, as per court rulings, verifications apply only to appointments made after the year 1995. The learned counsel further stated that mandatory verification of the caste certificate can only be made at the time of entry into service. Verification by Vigilance Cell without prior scrutiny by the State Level Scrutiny Committee is impermissible which is in violation of the guidelines given by the Hon'ble Supreme Court. He further added that since already the petitioner's father's caste status was upheld by this Court, the petitioner should also be granted the benefit and hence prayed for allowing the writ petition.

4. Per contra, the learned Additional Advocate General assisted by Mr.M.Sarangam, Additional Government Pleader appearing for the respondents would submit that the first respondent herein has merely sent a summon calling for the petitioner to attend the enquiry as to verify the genuineness of her community



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certificate. But the petitioner without attending the same, has approached this Court by way of filing this writ petition and hence, prayed for dismissal of the same.

5. Heard the learned counsel appearing for the petitioner and the learned Additional Advocate General appearing for the respondents and perused the materials available on record.

6. Admittedly, this Court is of the considered opinion that when the community certificate of the petitioner's father has already undergone due verification by the competent authority and such acceptance was also upheld by this Court as genuine, then the community certificate issued to his daughter/petitioner herein, which is based solely on such verified parental certificate stands on the same legal footing. The very purpose of verification is to establish the authenticity of the claim, and once such authenticity is conclusively established in respect of the father, there is a legal presumption that the same community status is inherited by his children, unless rebutted by cogent evidence to the contrary. Therefore, subjecting the daughter/ petitioner herein to a second round of verification in the absence of any fresh material casting doubt on the



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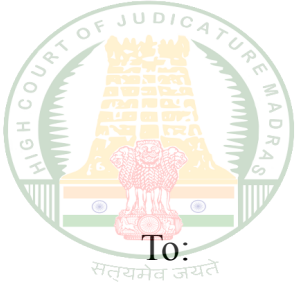
genuineness of the father's certificate amounts to an unwarranted duplication of proceedings. Such a course of action not only results in administrative delay and waste of public resources but also causes undue hardship to the individual concerned, defeating the very object of expeditious issuance and acceptance of community certificates. In the present case on hand, the petitioner is on the verge of retirement from service, and compelling her to undergo another verification process at this stage would cause severe prejudice, disrupt her service benefits, and defeat the object of ensuring timely settlement of retirement dues.

7. In view of the above observations, this Court deems it fit to quash the impugned notice issued under Section 91 of Criminal Procedure Code, dated 22.05.2023, passed by the first respondent. Accordingly, the Writ Petition stands allowed. No costs. Consequently, connected miscellaneous petitions stand closed.

[J.N.B., J.] [S.S.Y., J.]
22.08.2025

sts

Index : Yes / No



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To:

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SC/ST Vigilance Cell,
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Madurai- 20

2. The Chairman,
State Level Scrutiny Committee II,
Additional Secretary to Government,
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Pre-delivery of order made in
W.P.(MD)No.13776 of 2023

Dated:

22.08.2025