



W.P(MD) No.14133 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 20.01.2026

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**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MRS.JUSTICE R.KALAIMATHI**

W.P(MD) No.14133 of 2018

M.Suthanthirarajan

... Petitioner

Vs.

- 1.The Commissioner,
Backward Class and Most Backward Class Department,
Chennai-600 005.**
- 2.The District Collector,
Office of the District Collectorate,
Tirunelveli,
Tirunelveli District.**
- 3.The Revenue Divisional Officer,
O/o.Revenue Divisional Officer,
Tenkasi,
Tirunelveli District.**
- 4.The Deputy Tahsildar,
Office of the Deputy Tahsildar,
Tirunelveli,
Tirunelveli District.**

... Respondents



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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 pertaining to the impugned order in Na.Ka.No.Aa4/WSR 34/97, dated 18.11.2017 on the file of the second respondent and quash the same as illegal and consequently, to direct the respondents to declare the community certificate issued to the petitioner by the Special Headquarters Deputy Tahsildar in No.2642/83, dated 15.09.1983 and by the Deputy Tahsildar in No.264543, dated 10.11.1989 as valid within the time stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy
Senior Counsel
for M/s.Lajapathi Roy Associates

For Respondents : Mr.A.Baskaran
Additional Government Pleader

ORDER

(Order of the Court was made by **G.R.SWAMINATHAN, J.**)

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



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2. The writ petitioner herein was certified as belonging to Hindu Archakara Vellalar community vide certificate dated 15.09.1983 issued by the Additional Headquarters Deputy Tahsildar, Tenkasi. The petitioner subsequently secured appointment as Assistant Medical Officer (Siddha) under Rule 10(a)(1). The petitioner has since reached the age of superannuation also. The authorities sent the petitioner's community certificate for verification. By virtue of the order obtained by the petitioner himself in W.P.(MD)No.7880 of 2010, dated 05.04.2017, the District Collector, Tirunelveli undertook the exercise of verification and eventually held vide order dated 18.11.2017 that the writ petitioner belongs to Vellalar community and not Hindu Archakara Vellalar Community. Challenging the said order, the writ petition came to be filed.

3. Our attention has been drawn to the order issued by the Government of Tamil Nadu indicating that it is only the District Level Vigilance Committee comprising District Collector, Anthropologist and District Backward Classes & Minorities Welfare Officer which can alone



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go into the issue of verification of one's community certificate (BC). In this case, the District Collector on his own had passed an order. This is patently without jurisdiction. No doubt, this order is the writ petitioner's own making. But then, we have held in more than one case that the writ Court cannot confer jurisdiction on an authority, if he or she otherwise does not possess the same. We therefore hold that the impugned order dated 18.11.2017 cancelling the petitioner's earlier community certificate is lacking in jurisdiction. On this sole ground, it is set aside. The matter is remitted to the file of the District Level Vigilance Committee, Tenkasi to undertake the exercise of verifying the petitioner's community status. The committee shall go into the issue without in any way being influenced by the order which has now been quashed by us. The petitioner will be heard in person. The petitioner is at liberty to place all the materials in support of his claim that he belongs to the said community. This exercise shall be completed by the District Level Vigilance Committee within a period of six months from the date of receipt of a copy of this order.



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4. The Writ Petition is allowed. No costs.

(G.R.S., J.) (R.K.M., J.)
20.01.2026

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

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