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W.P.No.23685 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2023

CORAM :

**THE HONOURABLE MRS. JUSTICE J.NISHA BANU
and
THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN**

W.P.No.23685 of 2023

T.Narasimhan ... Petitioner

-Vs-

The Revenue Divisional Officer
Tirupattur 635 601. ... Respondent

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Calling for the records in the order bearing No. Na.Ka. A2/2111/2023 dated 2.8.2023 passed by the respondent and quashing the same and directing the respondent to issue Kurumans Scheduled Tribe Community Certificate to the petitioners son Ruthish. N immediately on the basis of the Petitioner community certificate dated 28.11.2015 immediately.

For Petitioner : Mr.M.Radhakrishnan
For Respondent : Mr.E.Vijay Anand
Additional Government Pleader

ORDER

(Order of the Court was made by **V.LAKSHMINARAYANAN, J.**)

The writ petition challenges the proceedings of the Revenue Divisional Officer, Tirupattur in Na.Ka. A2/2111/2023 dated 2.8.2023 and to quash the same and to issue Kurumans Scheduled Tribe Community Certificate to the petitioner's son.



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2. We have heard Mr.M.Radhakrishnan, learned counsel for the petitioner and Mr.E.Vijay Anand, learned Additional Government Pleader and have perused the records.

3. It is not in dispute that the petitioner had applied for a Community Certificate for his son as early as on 28.11.2015. The petitioner's father D.Thippannan has been issued with a community certificate. The petitioner states that his father had submitted the said certificate to the Railway authorities and had secured employment under the Scheduled Tribe category. The writ petitioner T.Narasimhan has also been given a community certificate as early as in the year 2015.

4. Mr.Vijay Anand, learned Additional Government Pleader would submit that during the relevant time ie., in the year 2015, the Revenue Divisional Officer had issued as many as 196 certificates and proceedings have been initiated against him for the said purpose.

5. The fact remains that the writ petitioner has been given a community certificate which has not been cancelled so far by the appropriate authority. As per the orders of this Court in W.P.Nos.17231 of 2015 etc., dated 22.04.2016, if the competent authority had issued a Scheduled Tribe Community Certificate to close



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relatives, unless and until the same is cancelled in a manner known to law, his close relatives are entitled for the benefit of community certificate. Applying that law to the present case, the petitioner having secured a community certificate and the same not having been cancelled so far, his son would also be entitled to be given a community certificate.

6. Therefore, the impugned proceedings dated 02.08.2023 is set aside. The Revenue Divisional Officer, Tirupattur is directed to issue a community certificate to the petitioner's son viz., N.Ruthish within a week's period. We make it clear that the certificate issued to the petitioner Mr.T.Narasimhan is subject to verification by the State Level Scrutiny Committee and pursuant to the proceedings in Ne.Mu.Ka.A2/5789/2018 dated 13.09.2019, if it is found that the certificate issued to Mr.T.Narasimhan is a false one and is cancelled, consequently this certificate issued to the petitioner's son N.Ruthish by virtue of this order will also stand cancelled. The writ petition is disposed of accordingly. No costs.

(J.N.B.,J.) (V.L.N.,J.)
01.09.2023

Index : Yes/No
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Note : Issue order copy on 04.09.2023



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and
V.LAKSHMINARAYANAN, J.

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