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WP Nos.24145 & 24147 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**RESERVED ON : 07-07-2025**  
**PRONOUNCED ON : -07-2025**

CORAM

**THE HONOURABLE MRS JUSTICE J. NISHA BANU**  
**AND**  
**THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

**WP Nos.24145 & 24147 of 2025**  
**AND**  
**WMP Nos.27154, 27156, 27159 & 27158 of 2025**

K.Hari Prasad  
S/o.Kuppovi Reddi,  
No.5/94 Pannavadi, Kolathur, Salem District

Petitioner(s) in W.P.No.24145 of 2025

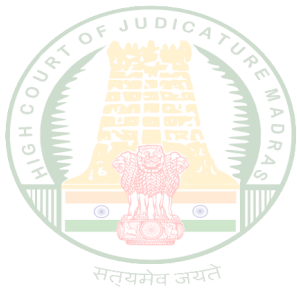
K.Hari Sankar  
S/o.Kuppovi Reddi,  
No.5/94 Pannavadi, Kolathur, Salem District

Petitioner(s) in W.P.No.24147 of 2025

Vs

1.The State Level Scrutiny Committee-III  
represented by its Member Secretary/  
District Revenue Officer, Adi Dravidar and Tribal  
Welfare(CV-4) Department, Fort St.George, Chennai-9

2.The Deputy Superintendent of Police  
Social Justice and Human Rights Division  
Old Army Complex, Line Medu, Salem



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Respondent(s) in both cases

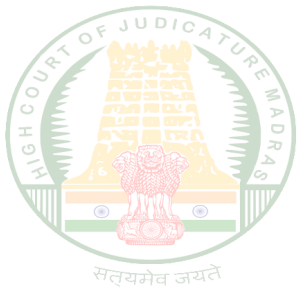
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**Prayer in WP No.24145 of 2025:**

Writ Petition filed under Article 226 of the Constitution of India to issue a writ of certiorarified mandamus to call for the records of the second respondent in its Na.Ka.No.9/DSP/SJ(&)HRD/2025 dated 18.03.2025 and show cause notice No.6068/CV-4(1)/2014-11 dated 12.06.2025 of the first respondent and quash the same and consequently refrain the respondents from conducting verification into the petitioner's community certificate dated 16.03.2012 issued in pursuance of the directions of this Court *vide* order dated 18.11.2011 in W.P.No.18255 to 18257 of 2011.

**Prayer in WP No.24147 of 2025:**

Writ Petition filed under Article 226 of the Constitution of India to issue a writ of certiorarified mandamus to call for the records of the second respondent in its Na.Ka.No.26/DSP/SJ(&)HRD/2025 dated 19.04.2025 and quash the same and consequently refrain the respondents from conducting verification into the petitioner's community certificate dated 16.03.2012 issued in pursuance of the directions of this Court *vide* order dated 18.11.2011 in W.P.No.18255 to 18257 of 2011.



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For Petitioner(s)  
in both cases

Mr.V.Vijay Shankar

For R1 in both cases

Mr.Vadivel Deenadayalan  
Additional Government  
Pleader

For R2 in both cases

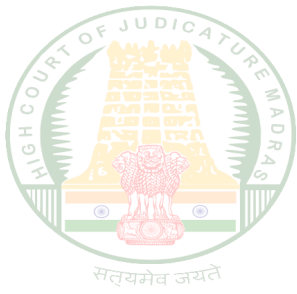
Mr.Babu Muthumeeran  
Additional Public Prosecutor

**COMMON ORDER**

(Made by M.Jothiraman J.)

**W.P.No.24145 of 2025** has been filed assailing the show cause notice dated 18.03.2025 issued by the Deputy Superintendent of Police, Social Justice and Human Rights Division and the show cause notice dated 12.06.2025 issued by the Member Secretary/District Revenue Officer, Adi Dravidar and Tribal Welfare(CV-4) Department, State Level Scrutiny Committee-III and to quash the same.

2. **W.P.No.24147 of 2025** has been filed assailing the order dated 19.04.2025 issued by the Deputy Superintendent of Police, Social Justice and Human Rights Division and to quash the same.



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3. The case of the petitioners is that they belong to Konda Reddis (ST) community. Both their father and mother possess community certificates issued by the Tahsildar way back in the year 1976 and 1978, respectively. In addition, their father's several close blood relatives also possess community certificates issued by the Tahsildar. From elementary school onwards, their community has been entered in educational records. Further, an anthropologist study carried out by the Department of Anthropology, Pondicherry University, concluded that a few of their father's blood relatives hailing from Mettur Taluk in Salem District, who were presently in Puducherry, belong to Konda Reddis community. However, the Revenue Divisional Officer, Mettur Dam, despite all the above overwhelming documentary evidences, rejected their applications for issuance of community certificate and therefore, they were constrained to file writ petitions in W.P.Nos.18257 & 18266 of 2011, in which, the Hon'ble Division Bench of this Court *vide* order dated 18.11.2011 directed the issuance of community certificate to them by taking note of the fact that their parents possess community certificates in their favor. Thus, the Hon'ble



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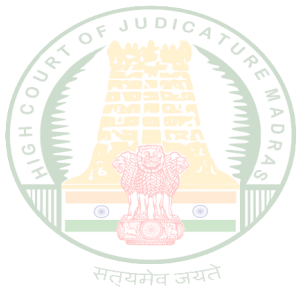
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Division Bench of this Court directed that so long as the parents' certificates are valid and subsisting, the children have to be given community certificate on the same lines. Following the said order, the Revenue Divisional Officer issued caste certificates in their favor on 16.03.2012. However, nearly after thirteen years, suddenly, by notices dated 18.03.2025 and 19.04.2025 the second respondent issued summon to the petitioners asking them to appear for enquiry regarding their community status. When they pointed that their community certificates were issued pursuant to the directions of this Court, the second respondent refused to accept their statement and openly declared that they will go ahead with the verification. The second respondent appears to have submitted an adverse report to the first respondent, who, by his notice dated 17.06.2025 issued show cause notice directing the him (petitioner in W.P.No.24145 of 2025) to submit his explanation. The initiation of verification by the respondents 1 and 2 is totally without jurisdiction and is a high handed exercise of power. Further, most importantly, the respondents or any other revenue authority for that matter have no power or jurisdiction for verification into the community certificate issued pursuant to the directions of this Court. As the repeated verification



made by the respondents is uncalled for and tantamount to harassment, left with no other option or effective remedy, they are constrained to approach this court.

4. The learned counsel appearing for the petitioner would submit that verification of the community status cannot be made at any point of time. In terms of the judgment of the Supreme Court and the guidelines framed by the Government of Tamil Nadu, verification of caste status has to be undertaken immediately at the earliest point of time within six months and not at a later point of time. Pursuant to the directions of this Court in W.P.Nos.18255 to 18257 of 2011, the Revenue Divisional Officer issued community certificates in favor of the petitioners on 16.03.2012 and once this Court has issued such directions on being satisfied that the petitioners and their family belong to Scheduled Tribe, the same cannot be set at naught or nullified by the revenue authorities *viz.* respondents herein. This Court has declared in several cases that verification of community certificates by the revenue authorities is beyond their power and jurisdiction, as it would tantamount to overreaching the directions of the Court.



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5. *Per contra*, the learned Additional Government Pleader appearing for the respondents would submit that the show cause notices alone have been issued to the petitioners to submit their explanation and for enquiry with regard to verification of their community certificates already been issued. The impugned show cause notices cannot be quashed at this stage and the respondents have power to call upon the petitioners for conducting enquiry and for verification of their community certificates in the manner known to law, as per the directions issued by the Hon'ble Supreme Court and this Court.

6. We have considered the submissions made on either side and perused the records.

7. It is seen from the records that the petitioners have approached this Court by filing W.P.No.18257 of 2011 (K.Hari Prasad in W.P.No.24145 of 2025) and W.P.No.18256 of 2011 (K.Hari Sankar in W.A.No.24147 of 2025) with a grievance that their request for issuance of Konda Reddis (ST) community certificates has not been favorably considered in spite of the fact



that they have made request through their father way back in the year 2004.

WEB COPY The Hon'ble Division Bench of this Court in W.P.Nos.18255 to 15257 of

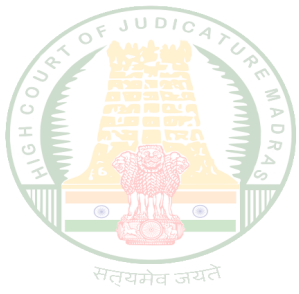
2011 vide order dated 18.11.2011, has passed the following order:

*“2. The father and mother of the petitioners have been issued with and those "Konda Reddi" Scheduled Tribe Community Certificates certificates were furnished before the Revenue Divisional Officer Though there is a reference about the production of those certificates by the petitioners, yet, they were not taken into consideration and in fact, they were not even referred to in the order for rejecting the request of the petitioners for issuance of community certificate.*

*3. We have heard Mr.V. Vijay Shankar, learned counsel for the petitioners and Mr. R. Vijayakumar, learned Additional Government Pleader for the respondent.*

*4. From the impugned order, it is seen that the petitioners have produced the community certificate of their father and mother; apart from five more documents. In that order, there is no reference in respect of the community certificates obtained by the father and mother of the petitioners.*

*5. The Apex Court in the judgment reported in State of Bihar and Others v. Sumit Anand (2005 (12) SCC 248) has held that in the event, the father or mother of the applicant had obtained a community certificate, the children would be entitled to such*



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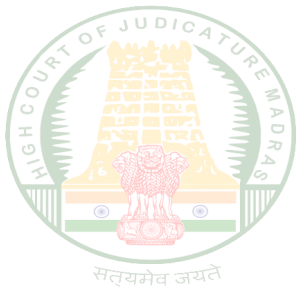
*certificate, unless the certificates of the parents are cancelled in the manner known to law.*

*6. It is not the case of the respondent that either the certificate of the father or the mother had been cancelled. There is absolutely no discussion as to the genuineness or the suspicion of Therefore, the respondent ought to have accepted those certificates for the purpose of considering the application of the petitioners for issuance of community certificate. those two certificates.*

*7. In view of the failure on the part of the respondent to consider the certificates of the parents of the petitioners, which are admittedly available before the respondent, the impugned order cannot be sustained in the eye of law. Accordingly, the same is set aside.*

*8. The petitioners have applied for community certificate far rack in the year 2004 and in fact on the earlier occasion the father of the petitioners have approached this Court by filing W..1 of 2004 for issuance of community certificate and this Court by order dated 14.2.2011 had directed the Revenue Divisional Officer consider the application in the event of filing a sworn affidavit by the father of the petitioners as per the directions of the Apex Court in the case of to Kumari Madhuri Patil v. Additional Commissioner, Tribal Development (AIR 1995 SC 94). Accordingly, the petitioners' father had filed an affidavit, which is not in dispute.*

*9. In these circumstances, we are inclined to direct the Revenue the Divisional Officer to pass orders by taking into consideration, observations made in this order, in a period of four*



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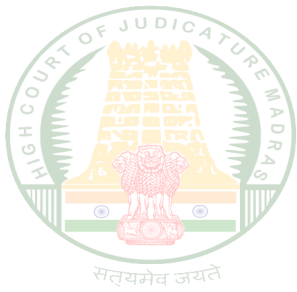
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*weeks from the date of receipt of a copy of this order or on production of the same by the petitioners.*

*10. The writ petitions are disposed of with the above direction. No costs."*

8. Admittedly, it is not the case of the respondents that they have issued show cause notices to the petitioners' parents for verification of their community certificates and it is not the case of the respondents that either the certificate of the father or the mother had been canceled. Rather, the impugned notices were issued to the petitioners (children) and there is no details or discussion as to the genuineness or the suspicion of the community certificates already been holding by their parents.

9. In view of the fact that the respondents have not chosen to question the certificates of the parents of the petitioners, which were admittedly available before the respondents. The impugned show cause notices cannot be sustained in the eye of law, since the community certificates of the petitioner had been issued upon the directions of this Court *vide* order dated 18.11.2011.

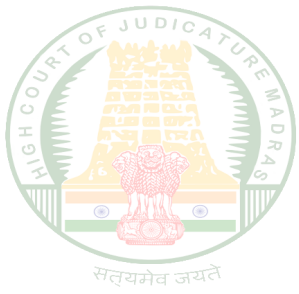


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10. In such circumstances, without questioning or verifying the community certificates of the parents of the petitioners, the initiation of verification of certificates of the petitioners by the respondents is totally procedural violation. The respondents have no reason to make verification into the community certificates issued pursuant to the directions of this Court, as the repeated verification made by the respondent is not warranted.

11. At this juncture, it may be apposite to refer the judgment of the Hon'ble Supreme Court of India in ***J.Chitra Vs. District Collector and Chairman, State Level Vigilance Committee and Others*** reported in (2021) **9 SCC 811**, wherein, it has been held as follows:

*“10. In the instant case, an inquiry was conducted by the District-Level Vigilance Committee which has upheld the community certificate in favour of the appellant. The decision of the District-Level Vigilance Committee in the year 1999 has not been challenged in any forum. The recognition of the community certificate issued in favour of the appellant by the District Vigilance Committee having become final, the State Level Scrutiny Committee did not have jurisdiction to reopen the matter and*



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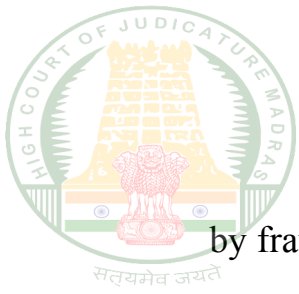


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*remand for fresh consideration by the District-Level Vigilance Committee. The guidelines issued by G.O. No. 108 dated 12-9-2007 do not permit the State Level Scrutiny Committee to reopen cases which have become final. The purpose of verification of caste certificates by Scrutiny Committees is to avoid false and bogus claims. **Repeated inquiries for verification of caste certificates would be detrimental to the members of Scheduled Castes and Scheduled Tribes. Reopening of inquiry into caste certificates can be only in case they are vitiated by fraud or when they were issued without proper inquiry.***

12. In view of the above reasons, this Court is inclined to quash the impugned show cause notices. There are merits in these petitions and the same is liable to be allowed.

In fine, these writ petitions stand allowed by quashing the impugned show cause notices dated 18.03.2025, 12.06.2025 and 19.04.2025. By applying the ratio laid down by the Hon'ble Supreme Court of India in **J.Chitra** case (cited supra), the respondents are at liberty to conduct an enquiry only to the petitioners' parents, if the respondents have found that the community certificates holding by the petitioner's parents were obtained



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by fraud or without proper enquiry, then, the respondents shall proceed with the enquiry in the manner known to law. No costs. Connected W.M.Ps. are closed.

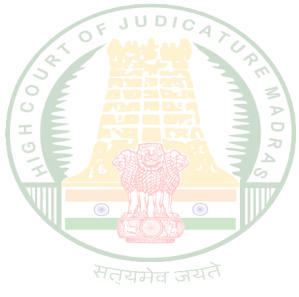
**(J.N.B., J.)(M.J.R., J.)  
-07-2025**

nsd  
Index: Yes/No  
Speaking/Non-speaking order  
Internet: Yes  
Neutral Citation: Yes/No

To

1.The State Level Scrutiny Committee-III  
represented by its Member Secretary/  
District Revenue Officer, Adi Dravidar and Tribal  
Welfare(CV-4) Department, Fort St.George, Chennai-9

2.The Deputy Superintendent of Police  
Social Justice and Human Rights Division  
Old Army Complex, Line Medu, Salem



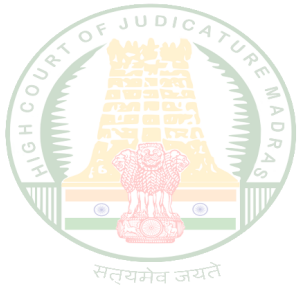
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**J.NISHA BANU J.  
AND  
M.JOTHIRAMAN J.**

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