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W.P.(MD)NO.5191 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.02.2026

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MRS.JUSTICE R.KALAIMATHI

W.P.(MD)No.5191 of 2023

A.Marimuthu

... Petitioner

Vs.

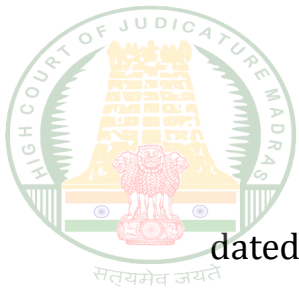
1. The District Collector,
Virudhunagar District,
Virudhunagar.

2. The Revenue Divisional Officer,
Aruppukottai,
Virudhunagar District.

3. The Tahsildar,
Thiruchuli Taluk,
Virudhunagar District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent herein to issue Hindu ST-Kattunayakkan community certificates to the petitioner's children (1) Sathasri, (2) Rohinisri, (3) Kaviya and (4) Bharani on surrendering their MBC Thottianayakkar Community Certificate Nos.AA87688C6A687C86 dated 15.02.2016; TN-52020013111068 dated 10.02.2020; TN-52021062411682 dated 29.06.2021 and AS9S698C69687D86



dated 25.05.2017 respectively and to issue fresh ST-Kattunayakkan community certificate to one of his daughter namely, Nivethasri within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.P.Saravanakumar

For Respondents : Mr.S.Shaji Bino,
Special Government Pleader.

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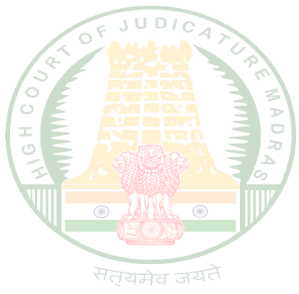
ORDER

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

Heard both sides.

2. The petitioner claims that he belongs to Hindu Kattunayakkan community which is a Scheduled Tribe. However, he was issued what is known as Thottianayakkar community certificate. The petitioner wants issuance of fresh certificate declaring him as belonging to Kattunayakkan community.

3. Our attention is drawn to the order dated **21.02.2017 in W.P. (MD)No.2845 of 2017 (V.Kannan Vs. The District Collector, Thoothukudi District, Thoothukudi)**. The Hon'ble Division Bench had passed the following order:-

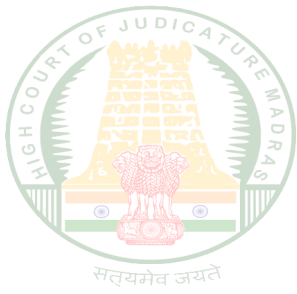


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“This Writ Petition has been filed seeking to issue a Writ of Mandamus directing the second respondent herein to consider the petitioner's representation dated 07.09.2016 and issue Hindu Kattunayakkan Community Certificate to him, on surrendering his Thottinayakkar Community Certificate, dated 22.09.2011 in Certificate No. 4116790 within a time frame.

2. The case of the petitioner is that he belongs to Hindu Kattunayakkan Community, which is recognized as a Scheduled Tribe Community. Now, he is undergoing M.B.A., Degree. His parents, who are illiterate, applied for issuance of community certificate, certifying that he belongs to Hindu Kattunayakkan Community. However, the respondents, without conducting proper enquiry, issued a community certificate, certifying that the petitioner belongs to Hindu Thottinayakkar Community, which comes under the Most Backward Class. Therefore, the petitioner made a representation on 07.09.2016 before the second respondent to permit him to surrender Hindu Thottinayakkar Community Certificate issued by the third respondent on 22.09.2011 and with a request to issue a fresh community certificate, recognizing him as Hindu Kattunayakkan



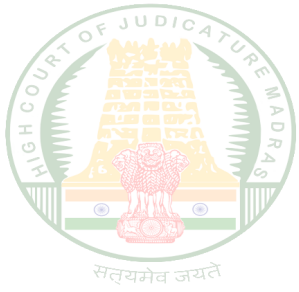
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Community, taking into account the community certificates already issued to his close relatives, namely, one Gandhi and Krishnan during the year 1990 and 1992. Since no action has been taken, the petitioner has come forward with the present Writ Petition, for the relief stated earlier.

3. Considering the limited scope of the prayer sought for by the petitioner, without expressing any opinion on the merits of the claim made by the petitioner, the petitioner is directed to submit a copy of the representation dated 07.09.2016, along with a copy of this order to the second respondent and on receipt of the same, the second respondent is directed to conduct an enquiry, provide an opportunity to the petitioner to submit documents, if any, in support of his claim and thereafter, pass appropriate orders, on merits and in accordance with law, within a period of eight weeks thereafter. It is made clear that this Court has not expressed any opinion on the merits of the matter and it is for the second respondent to decide the issue purely on merits.

4. The Writ Petition is disposed of on the above terms. No costs."



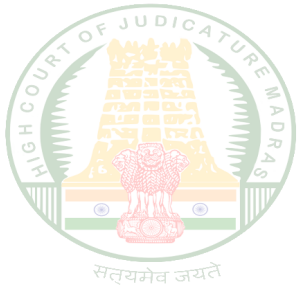
4. This Court also has to adopt the very same approach. We direct the second respondent / Revenue Divisional Officer, Aruppukottai, Virudhunagar District to look into the writ petitioner's application and pass a speaking order on merits within a period of twelve weeks from the date of receipt of a copy of this order. It is needless to mention that the writ petitioner has to be heard in the enquiry and given an opportunity to place his case. This writ petition stands disposed of accordingly. No costs.

(G.R.SWAMINATHAN, J.) & (R.KALAIMATHI, J.)
3rd February 2026

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

To:

1. The District Collector,
Virudhunagar District,
Virudhunagar.
2. The Revenue Divisional Officer,
Aruppukottai,
Virudhunagar District.
3. The Tahsildar,
Thiruchuli Taluk,
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