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W.P.Nos.24381 & 24387 of 2025

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

|                      |          |                   |
|----------------------|----------|-------------------|
| <b>Reserved on</b>   | <b>:</b> | <b>07.07.2025</b> |
| <b>Pronounced on</b> | <b>:</b> | <b>31.07.2025</b> |

C O R A M:

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

**W.P.Nos.24381 & 24387 of 2025**  
**and**  
**W.M.P.Nos.27436, 27439, 27456 & 27458 of 2025**

**W.P.No.24381 of 2025:**

M.Gunasekaran

... Petitioner

-VS-

1. The State Level Scrutiny Committee-II  
Rep. by its Member Secretary /  
Deputy Conservator of Forest  
Adi Dravidar and Tribal Welfare (CV-3)(2) Department,  
Secretariat, Chennai-9.

2. The Deputy Superintendent of Police,  
SC/ST Vigilance Cell, District Collectorate Complex,  
Madurai Division, Madurai-20.

... Respondents

**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 of the 2<sup>nd</sup> respondent in its Summons (91BNSS) dated 16.05.2025 and Show Cause Notice No.12597/CV-3(2)/2012-9 dated 03.06.2025 of the



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1<sup>st</sup> respondent, quash the same and consequently refrain the respondents from conducting verification into the petitioner's caste status in the light of the petitioner retirement on 30.06.2021.

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**W.P.No.24387 of 2025:**

G.Thangavel

... Petitioner

-VS-

1. The Chairman,  
State Level Scrutiny Committee-II/  
Additional Secretary to Government,  
Adi Dravidar and Tribal Welfare (CV-4) Department,  
Secretariat, Chennai-9.
  2. The Deputy Superintendent of Police,  
District Crime Branch / (i/c) Social Justice and Human Rights,  
SC/ST Vigilance Cell, Coimbatore Division,  
Coimbatore-18.
  3. The Senior Divisional Personnel Officer,  
Divisional Office, Personnel Branch,  
Southern Railway, Madurai.
- ... Respondents

**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 of the 2<sup>nd</sup> respondent in its C.No.76/DSP/SC/ST VIGILANCE CELL/CBE/17 dated 17.06.2025, quash the same by refraining the respondents from conducting verification into the petitioner's caste status in



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the light of the petitioner's retirement on 31.12.2018 and consequently direct the 3<sup>rd</sup> respondent to sanction full pension along with commutation, gratuity, earned leave, encashment and all other terminal benefits to the petitioner.

***In both writ petitions:***

For Petitioners : Mr.V.Vijay Shankar

For R1 : Mr.Vadivel Deenadayalan  
Addl. Govt. Pleader

For R2 : Mr.Babu Muthu Meeran  
Addl. Public Prosecutor

\*\*\*\*\*

**COMMON ORDER**

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

Since the issues involved in both the writ petitions are one and the same, they are disposed of by this common order. At the consent of both sides, both the writ petitions are taken up for final hearing at the stage of admission itself. Mr.Vadivel Deenadayalan, learned Additional Government Pleader takes notice for R1. Mr.Babu Muthu Meeran, learned Additional Public Prosecutor takes notice for R2. Notice to R3 in W.P.No.24397 of 2025 is dispensed with, as the 3<sup>rd</sup> respondent is only a formal party.



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2. W.P.No.24381 of 2025 has been filed assailing the summons (91BNSS) dated 16.05.2025 issued by the Deputy Superintendent of Police, State Level Scrutiny Committee II, SC/ST Vigilance Cell, District Collectorate Complex, Madurai Division, Madurai 20 and show cause notice No.12597/CV-3(2)/2012-9 dated 03.06.2025 issued by the Member Secretary/Deputy Conservator of Forest, Adi Dravidar and Tribal Welfare (CV-3) Department, Secretariat, Chennai. Whereas, writ petition in W.P.No.24387 of 2025 has been filed assailing the notice dated 17.06.2025 in C.No.76/DSP/SC/ST VIGILANCE CELL/CBE/17 issued by the Deputy Superintendent of Police, District Crime Branch/Social Justice and Human Rights, SC and ST Vigilance Cell, Coimbatore Division, directing the petitioner concerned, to appear for enquiry.

3. The essential facts of the cases that are required for the disposal of the writ petitions are deliberated as follows:-

3.1. Petitioner in W.P.No.24381 of 2025 belongs to Konda Reddis (ST) community, which falls under the category of 'Schedules Tribes' as per the Constitution (Scheduled Tribes) Order, 1950. He was issued with such



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community certificate on 01.03.1972 by the Tahsildar. Thereafter, the petitioner got appointed in Vijaya Bank (now Bank of Baroda) in the year 1984. After completing 37 years of service, he reached superannuation on 30.06.2021 and the petitioner was sanctioned with his own contribution of Provident Fund amounts and provisional pension alone. Other retirement benefits such as sanctioned gratuity, earned leave encashment and full pension/commutation, are yet to be received by the petitioner and the petitioner has initiated separate legal proceedings to secure those retirement benefits.

**3.2.** On 16.05.2025, nearly after four years from the date of retirement of the petitioner, the second respondent has issued a notice calling upon the petitioner to appear for enquiry on 20.05.2025 for verification of his community certificate, which was issued 53 years ago. Based on the same, the first respondent has issued a show cause notice to the petitioner on 03.06.2025. Aggrieved against the same, the petitioner has filed the present writ petition.

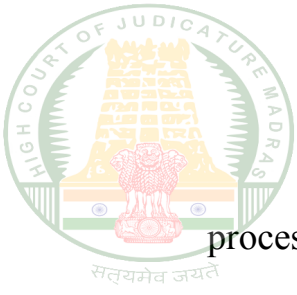


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**3.3.** Meanwhile, in W.P.No.24387 of 2025, the petitioner therein also belongs to Konda Reddis (ST) community, which falls under the category of 'Schedules Tribes' as per the Constitution (Scheduled Tribes) Order, 1950. Issued with a community certificate on 02.02.1980 by the Tahsildar, the petitioner was appointed in the year 1981 in the office of the third respondent herein/ Southern Railways. After completing 37 years of service, the petitioner attained superannuation on 30.12.2018. Likewise in this matter also, the petitioner was sanctioned with provisional pension alone and other retirement benefits such as full pension, gratuity, earned leave encashment, etc., have not been granted, for which, the petitioner has given representation to the third respondent and the same is pending. While that being so, on 17.06.2025, the second respondent issued a notice calling the petitioner to appear for enquiry on 26.02.2025 for verification of his community certificate, issued 45 years ago. Aggrieved against the same, the petitioner has preferred the present writ petition.

**4.** Mr.V.Vijay Shankar, learned counsel appearing for the petitioners in both the writ petitions, submitted that this Court in a series of judgments has consistently taken a view that after retirement of an employee, the



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process of verification will be academic and has restrained the committee/verifying authority from proceeding further. The petitioners have not been summoned for more than 40 years for verification of certificate and in the interregnum reached superannuation. Therefore, he would submit that respondents may be refrained from conducting verification of the petitioners' caste status, since they have retired from service. The petitioners have also filed affidavits of undertaking, respectively, stating that they will not make any claim or concession based on their community certificates.

5. Per contra, the learned Additional Government Pleader appearing for the respondents would submit that the impugned summons and show cause notice have been issued to the petitioners only to appear before the first respondent to submit their explanation along with proof of documents, if any, and no adverse orders would be passed and the authorities concerned are taking steps to verify the community certificates in the light of the direction issued by the Hon'ble Apex Court vide orders dated 25.02.2025 and 02.06.2025 in Special Leave to Appeal (C) No.27890 of 2019.

6. Heard the learned counsel appearing for the petitioners and the



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learned Additional Government Pleader appearing for the official  
respondents and perused the materials placed before this Court.

7. The extract of the observations and directions issued by the Hon'ble Apex Court vide orders dated 25.02.2025 in Special Leave to Appeal (C) No.27890 of 2019 is as follows:-

*“4. This litigation has something to do with Caste Certificate. It is the case of the respondent herein that she belongs to Hindu Konda Reddis Community (Scheduled Tribe).*

*5. She applied for a caste certificate for her son. The same was declined after an inquiry undertaken by Revenue Divisional Officer (for short the “RDO”). In such circumstances, the respondent preferred a writ petition in the High Court. The High court disposed of the writ petition observing the following in para 7:-*

*“7. Be that as it may. As on date, the Community Certificates issued to the Petitioner, her sister, her brother and also of her close relatives, were not cancelled and when they were not cancelled, there cannot be any impediment in issuing the Community Certificate to the Petitioner's son. Accordingly, the Respondent RDO Mettur Dam, Salem District, is directed to issue a Community Certificate to the Petitioner's son S.P. Yesvanth,*



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*within a period of two weeks from the date of receipt of a copy of this order. Thereafter, the Respondent-RDO, Mettur Dam, Salem District is directed to refer the said Community Certificate of the Petitioner, Petitioner's brother, Petitioner's sister and also her close relatives and .also of her son to be issued as directed above, to the State Level Scrutiny Committee for verification of the genuineness of the same. The State Level Scrutiny Committee shall verify the genuineness of the community. Certificates of the Petitioner, Petitioner's brother, Petitioner's sister and also of her close relatives, as also her son to be issued as directed above, and pass appropriate orders on or before 31.10.2019."*

*6. Para 7 is in two parts. The first part of the para 7 says that the necessary certificate be issued in favour of the son of the respondent herein and the second part says that after the same is issued let there be a thorough inquiry at the end of the State Level Scrutiny Committee whether the entire family belongs to the Hindu Konda Reddis Community (ST) or not.*

*7. Caste Certificate seems to be a big big problem in the State of Tamil Nadu. It appears that thousands of such certificates have been issued certifying people to be members of the Hindu Konda Reddis Community falling within Scheduled Tribe.*

*8. It is a different thing to say whether RDO could have inquired into the genuineness of the claim or not. We do not propose to get into this controversy for the present.*



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9. However, we would like to ensure whether these certificates are genuine or not. We would also like to know in what manner such caste certificates have been procured by thousands of people in the area.

10. For the present, we do not level any allegations but prima facie it appears to be a huge racket. This is something extremely dangerous.

11. In such circumstances, we propose to pass an interim order today.

12. We are conscious of the fact that the State has been able to obtain an interim order by which the operation of the impugned judgment has been stayed. However, we modify the order to the extent that let the State Level Scrutiny Committee undertake an extensive inquiry into this issue at the earliest and file its report before us to enable us to proceed further in the matter. We direct the State Level Scrutiny Committee to undertake this exercise at the earliest and file its appropriate report within six weeks from today without fail. The Report should be exhaustive supported by some contemporaneous record and it should be in correct english.

13. Once the report comes on record, we shall thereafter proceed to look into each of the petitions independently and decide them on their own merits.



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*14. It goes without saying that in the course of the inquiry all stake holders in other words all those who claim to be members of this Hindu Konda Reddis Community shall be heard.*

*15. The Committee shall undertake a fair, transparent and impartial inquiry without being influenced in any manner by any of the observations made in the impugned order or by any other extraneous consideration including any observation made by this Court on merits in the present order.*

*16. We expect the State level Scrutiny Committee to assist us in the right direction.*

*17. Rest of the interim order shall continue to operate.*

*18. The impugned order of the High Court is modified to the extent indicated above.*

*19. List the matter(s) after the report of the State Level Scrutiny Committee is received. ”.*

**8.** The Hon'ble Supreme Court, while hearing Appeal (C) No.27890 of 2019, arising out of the impugned final judgment and order passed by this Court, dated 22.04.2019 in W.P.No.11336 of 2019, wherein the writ petitioner has approached this Court for a direction to the official respondents to issue community certificate to her son S.P.Yesvanth to the



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effect that he belongs to the Hindu Konda Reddis Community (ST) in the light of the Community Certificate issued in favour of the petitioner on 30.06.1986. She has sought for a similar certificate for her son on 20.10.2016, by enclosing necessary documents including Community Certificates of herself, her sister, her brother and other close relatives, which came to be rejected by the official respondent therein. The counsel for the petitioner therein has submitted that a common impugned order was passed in respect of several individuals who applied along with the petitioner by assigning stereo-typed reasons and the respondent has summarily rejected the petitioner's request. Considering the same, this Court, vide its order dated 22.04.2019, has directed the respondents to issue community certificate to the petitioner's son, which shall be sent to the State Level Scrutiny Committee for verification of the genuineness of the community certificate along with the community certificates of the petitioner, her sister, her brother and other close relatives. The facts of the present writ petitions are totally different to that of the writ petition cited by the Hon'ble Supreme Court in Appeal (C) No.27890 of 2019. In the present case on hand, the petitioners have rendered 37 years of service to the Government, and after



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attaining superannuation, the genuineness of the community certificates of the petitioners have been questioned by the respondents, which this Court feels is purely academic.

9. A similar issue was considered by this Bench in W.P.No.31452 of 2022, in which I was one of the parties to the said order. I allowed the claim made by the petitioner therein, holding that the action of the respondent in initiating a vigilance enquiry after the petitioner's superannuation, and in passing the impugned order after an unexplained and inordinate delay of seven years, was not sustainable. It was observed that such delay could not be construed as falling within a reasonable time and was therefore unjustifiable. However, the other learned Judge constituting the Division Bench rendered a divergent view and dismissed the petitioner's claim. In view of the difference of opinion, the writ petition was placed before a Third Judge for resolution of the point of divergence. The learned This Judge of this Court, vide its order dated 20.09.2024, concurred with the views expressed by me.



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**10.** It is also pertinent to note that in the decision rendered by the

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No.24458/2019) vide order dated 03.03.2023, the Hon'ble Apex Court has recorded the submissions made by the learned senior counsel for the first respondent, held that the respondent No.1, who served in the Railways has superannuated on 28.02.2022 and therefore, the exercise in this case would largely be academic on the aspect of whether she belonged to the claimed Scheduled Tribe category, and considering the above, closed the proceedings.

**11.** It is seen from the records that the petitioners in W.P.Nos.24381 & 24387 of 2025 have rendered nearly 37 years of service to the Government and attained superannuation in their service on 30.06.2021 and 31.12.2018 respectively. Therefore, questioning the genuineness of their community certificates, after a long time, that too, after a lapse of more than nearly 4 years and 7 years respectively, after their retirement, is definitely uncalled for.



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12. The Apex Court in the case of **R.Sundaram vs. The Tamil Nadu**.

WEB COPY **State Level Scrutiny Committee and Others dated 17.03.2023**, in Paragraph

No.16 held as follows:-

*“16. It has been explicitly stated by this court that the exercise of verification of community certificate must be completed expeditiously. In the present case, however, as has been mentioned above, there has been an inordinate and unexplained delay of 19 years, an amount of time which cannot be fathomed, within the ambit of 'reasonable time'.”*

In the present cases on hand, it can be seen that the petitioner in

W.P.No.24381 of 2025 has entered government service in the 1984 and retired on 30.06.2021, after rendering 37 years of service. Likewise, the petitioner in W.P.No.24387 of 2025 has entered government service in the 1981 and retired on 31.12.2018, also after rendering 37 years of service. The inordinate delay on the part of the respondents in initiating any enquiry into the genuineness of the community certificates of the petitioners from the dates of their initial appointment until their respective dates of superannuation is highly unreasonable and cannot be justified under any acceptable standard of prompt administrative action.

13. In yet another case, the Hon'ble Supreme Court in the case of



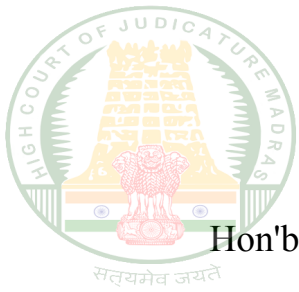
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SLP(C) No.24458/2019 dated 03.03.2023, was pleased to hold as under:

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“It is submitted that the respondent No.1 who served in the Railways has superannuated on 28.02.2022 and therefore, the exercise in this case would largely be academic on the aspect of whether she belonged to the claimed Scheduled Tribe category. Considering the above, we deem it is appropriate to order for closure of the proceedings. Accordingly, the Special leave Petition stands disposed of.”

14. The decision rendered by the Hon'ble Supreme Court in the case of ***Kumari Madhuri Patil vs. Additional Commissioner***, reported in ***1995 AIR 94*** weighs much importance in the cases on hand, had elaborately dealt with the issue of community certificate and observed that as per Article 15(4) of the Constitution of India, it is for the State to make special provisions for advancement of Scheduled Castes and Scheduled Tribes. Further, it was observed that in the light of Article 16(1), equality of opportunity to all citizens in matters of appointments to an office or a post under the Union or a State Government or public undertakings etc., should be ensured. For that purpose, Article 16(4) empowers the State to make provisions for reservation of appointments or posts in favour of classes of citizens not adequately represented in the services under the State. The



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Hon'ble Supreme Court, in the said judgment while issuing certain guidelines, insisted that the community certificate in respect of SC/ST should be scrutinised at the earliest. For the sake of convenience, relevant paragraphs of the judgment are reproduced below:

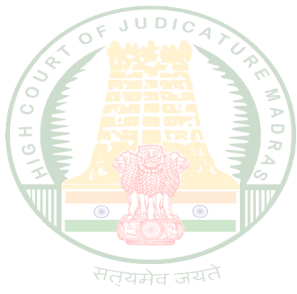
“It is, therefore, necessary that the certificates issued are scrutinised at the earliest and with utmost expedition and promptitude. For that purpose, it is necessary to streamline the procedure for the issuance of social status certificates, their scrutiny and their approval, which may be the following:

1. The application for grant of social status certificate shall be made to the Revenue Sub-Divisional Officer and Deputy Collector or Deputy Commissioner and the certificate shall be issued by such officer rather than at the Officer, Taluk or Mandal level.

2. The parent, guardian or the candidate, as the case may be, shall file an affidavit duly sworn and attested by a competent gazetted officer or non-gazetted officer with particulars of castes and sub-castes, tribe, tribal community, parts or groups of tribes or tribal communities, the place from which he originally hails from and other particulars as may be prescribed by the Directorate concerned.

3. Application for verification of the caste certificate by the Scrutiny Committee shall be filed at least six months in advance before seeking admission into educational institution or an appointment to a post.

4. All the State Governments shall constitute a Committee of three officers, namely, (1) an Additional or Joint Secretary or any officer higher in rank of the



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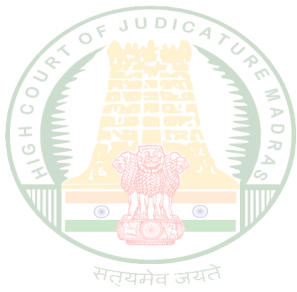
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Director of the department concerned, (11) the Director, Social Welfare/Tribal Welfare/Backward Class Welfare, as the case may be, and (III) in the case of Scheduled Castes another officer who has intimate knowledge in the verification and issuance of the social status certificates.

In the case of the Scheduled Tribes, the Research Officer who has intimate knowledge in identifying the tribes, tribal communities, parts of or groups of tribes or tribal communities.

5. Each Directorate should constitute a vigilance cell consisting of Senior Deputy Superintendent of Police in overall charge and such number of Police Inspectors to investigate into the social status claims. The Inspector would go to the local place of residence and original place from which the candidate hails and usually resides or in case of migration to the town or city, the place from which he originally hailed from. The vigilance officer should personally verify and collect all the facts of the social status claimed by the candidate or the parent or guardian, as the case may be. He should also examine the school records, birth registration, if any. He should also examine the parent, guardian or the candidate in relation to their caste etc. or such other persons who have knowledge of the social status of the candidate and then submit a report to the Directorate together with all particulars as envisaged in the pro forma, in particular, of the Scheduled Tribes relating to their peculiar anthropological and ethnological traits, deity, rituals, customs, mode of marriage, death ceremonies, method of burial of dead bodies etc. by the castes or tribes or tribal communities concerned etc.

6. The Director concerned, on receipt of the report from the vigilance officer if he found the claim for social status to be "not genuine" or 'doubtful' or spurious or falsely or wrongly claimed, the Director concerned should issue show-cause notice supplying a copy of the report of the vigilance officer to



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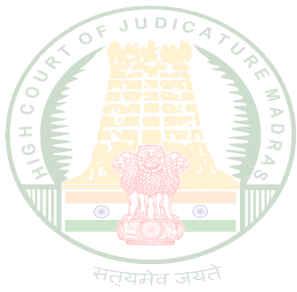
the candidate by a registered post with acknowledgement due or through the head of the educational institution concerned in which the candidate is studying or employed. The notice should indicate that the representation or reply, if any, would be made within two weeks from the date of the receipt of the notice and in no case on request not more than 30 days from the date of the receipt of the notice.”

**15.** Keeping in mind the above judgment of the Apex Court, an Office Memorandum was issued on 24.12.2020 by the Joint Secretary, Lok Sabha Secretariat. The relevant portions of the Office Memorandum are extracted hereunder:

“...It is pertinent to mention that the Departments/Banks/PSUs have not adhered to the above mentioned guidelines of DoP&T and CVC and also it is not in conformity with the Hon'ble Supreme Court judgment delivered vide Kumari Madhuri Patil Vs. Addl. Commissioner in 1995 AIR 94, 1994 SSC (6) 241 Order dated 02.09.1994 ***since this judgment can only be implemented in prospective.***

2. Here, it is pertinent to bring to your notice DoP&T OM no.230/08/2005-AVD II dated 25.05.2005, which clearly states the following:-

“Government has, therefore decided that a detailed verification of all such certificates produced before various appointing authorities since 1995 be carried. The CVOs are requested to initiate this task by collecting the details of all those who had been appointed in the Ministries/Departments or agencies including CPSUs with which they are concerned, since



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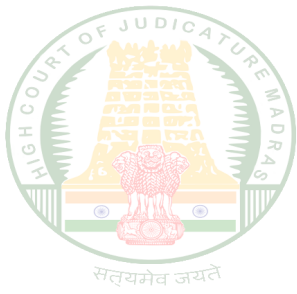
1995 on the strength of ST certificates.

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2. Keeping in view the above mentioned facts, it is requested that the concerned State Level Scrutiny Committee be directed to verify the ST caste certificates of only those employees who were appointed ***after the year 1995 and the process of verification should be completed within two months***. The Action Taken Report in this regard may be please be forwarded to this Secretariat at the earliest but not later than 18.02.2021 so that the same may be placed before the Committee.”

16. The above referred Office Memorandum makes it very clear that community certificates of employees, who were inducted into Government Service after 1995 can alone be subjected for scrutiny / verification. To be more precise, it is incumbent on the employers / authorities to conduct verifications ideally at the time of an employee's entry into service, so as to ensure the accuracy and integrity of personnel records.

17. In furtherance thereof, the Government of India, Ministry of Personnel, PG & Pensions, Department of Personnel and Training issued instructions dated 21.10.2022 to all State / UT Governments, insisting upon the need for timely verification of Caste / Community certificates, indicating as follows:



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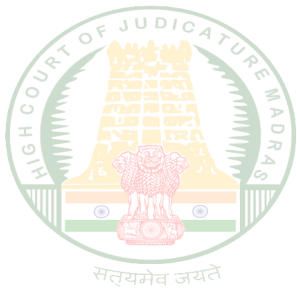


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“3. In this regard, it is reiterated that the responsibility for the issue and verification of Caste Certificate lies with the concerned State / UT Government. The Hon'ble Supreme Court, vide its order dated 02.09.1994 in the matter of Kumari Madhuri Patil vs. Addl. Commissioner, has laid down the detailed guidelines for effective verification of the Caste Certificates of the employees by the State Government, so that no person, on the basis of fake caste certificate, may secure employment wrongfully in the Government.”

**18.** On a reading of the aforesaid instructions, it is apparent that the Government of India is very keen in curbing the wrongful entry of an employee in the Government Service based on the fake community certificate and issued instructions to all State / UT Governments for verification of the community certificates at the earliest point of time.

**19.** In an another Office Memorandum dated 30.11.2021, issued by the Government of India, Ministry of Personnel, PG & Pensions, Department of Pension & Pensioner's Welfare strictly instructed concerned Departments that unless departmental or judicial proceedings are pending against a retired employee, the pensionary / retirement benefits due to the retiring employee should not be withheld or delay on the ground of pendency of verification of caste certificate.



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**WEB COPY 20.** Learned counsel for the petitioners drew our attention to the Government Order dated 15.10.2012 issued by the Government of Tamil Nadu, constituting a District Level Vigilance Committee and State Level Scrutiny Committee to verify the genuineness of the community certificates. Vigilance Cells at Chennai, Salem, Trichy and Madurai were also formed to verify the community status and submit a report to the Committee. In the Government Order, the functions of the Vigilance Cells have been enumerated and a time frame has also been fixed for completion of enquiry, which reads as follows:

“vii) The inquiry should be completed as expeditiously as possible preferably by day to day proceedings within such period ***not exceeding two months***. If after inquiry, the competent committee finds the claim to be false or spurious, they should pass an order cancelling the certificate issued and confiscate the same. It should communicate within one month from the date of the conclusion of the proceedings the result of enquiry to the parent / guardian and the applicant.”

**21.** In the light of various judgments of the Hon'ble Supreme Court and also the guidelines / instructions / GO issued by both Government of India and State Government, from time to time, we are of the view that the



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respondents cannot keep the matter pending for months / years together in the garb of verification of community certificates, especially when there is a specific time frame fixed for completion of such verification.

**22.** In the present cases, the petitioners have entered Government service and subsequently, got retired, after rendering nearly 37 years of service. Therefore, the verification of the community certificates at this belated stage will be a futile exercise and is not in consonance with the various judgments of the Hon'ble Supreme Court and the guidelines issued by the Government. Hence, we have no other option, but to set aside the impugned proceedings.

**23.** Learned counsel for the petitioners would state that the petitioners, at this age are finding difficult to appear for enquiry before the officials and therefore, the petitioners would state that they are willing to surrender their community certificates and they will not claim concessions to their children on the basis of their community certificate, which is given solely to avoid further harassment at the hands of the respondents under the pretext of



verification proceedings initiated after superannuation.

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24. It is relevant to extract the relevant paragraphs of the affidavits of undertaking dated 30.06.2025 submitted by the petitioners, which read as follows:

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"2) I submit that I belong to the Konda reddy community (ST) Based on the community certificate in the year 1972 issued in my favour, I was appointed in the Vijaya Bank in the year 1984. I reached superannuation after completing 37 years of service on 30.06.2021. I submit that I have sanctioned only his own contribution of PF amounts and provisional pension alone. He has yet to be sanctioned gratuity, earned leave encashment and full pension/commutation, for which I am taking separate legal action.

3) I submit that I have two sons both are working in private company. I have not obtained community certificates for them to the effect that they belong to ST.

4) I, humbly submit that I am presently aged 64 years. I submit that I will not make any claim or derive any concessions on the basis of my caste certificate except to



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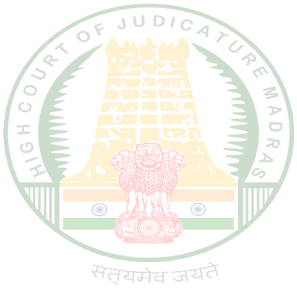
*take such legal steps to obtain gratuity earned leave encashment and full pension/commutation for the service rendered by me. Recording the above I pray that this Hon'ble Court may pass appropriate orders restraining the respondents from conducting any verification into my caste and pass such other order or orders as may be deemed fit.*

**W.P.No.24381 of 2025:**

*2) I submit that I belong to the Konda reddy community (ST) Based on the community certificate in the year 1980 issued in my favour, I was appointed in the Southern Railway in the year 1981. I reached superannuation after completing 37 years of service on 31.12.2018. I submit that 3rd respondent have sanctioned only provisional pension, other benefits such as full pension, commutation, gratuity, earned leave encashment etc., have not been paid to me so far.*

*3) I submit that I have two children, one son who is working in private company and the daughter is an house wife.. I have not obtained community certificates for them to the effect that they belong to ST.*

*4) I, humbly submit that I am presently aged 66 years. I submit that I will not make any claim or derive any concessions on the basis of my caste certificate. Recording the above I pray that this Hon'ble Court may pass*



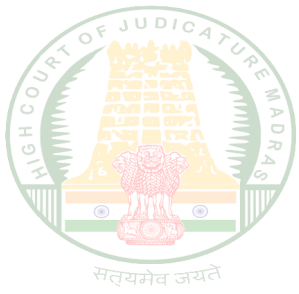
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W.P.Nos.24381 & 24387 of 2025

*appropriate orders restraining the respondents from conducting any verification into my caste and pass such other order or orders as may be deemed fit.*

**25.** Once a government servant has retired and completed all service verifications during his tenure, reopening of the community certificate issue amounts to re-litigation. It is pertinent to note that the employer accepted the community certificates at the time of appointment of the petitioners and did not raise any issue during the long years of service of the petitioners. A retired employee has a legitimate expectation that benefits earned during service will not be taken away arbitrarily after retirement. When a community certificate is issued and accepted for decades, and no concerns are raised, then there is a presumption that such certificates are valid and the information contained within it are accurate. Post-retirement verification of a community certificate is inherently burdensome, as it involves practical difficulties such as loss of records, fading memories, and changed circumstances, making it unjustly onerous for the individual to establish the certificate's authenticity.



W.P.Nos.24381 & 24387 of 2025

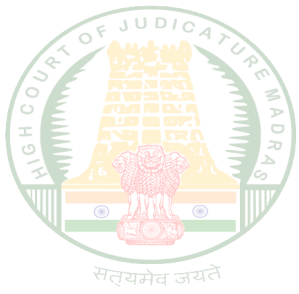
**26.** In view of the above, this Court is inclined to pass the following

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*(i) With regard to W.P.No.24381 of 2025, the impugned Summons (91BNSS) dated 16.05.2025 of the 2<sup>nd</sup> respondent and the Show Cause Notice No.12597/CV-3(2)/2012-9 dated 03.06.2025 of the 1<sup>st</sup> respondent, are hereby set aside;*

*(ii) With regard to W.P.No.24387 of 2025, the impugned summon of the 2<sup>nd</sup> respondent in C.No.76/DSP/SC/ST VIGILANCE CELL/CBE/17 dated 17.06.2025, is hereby set aside. In view of setting aside of the impugned summon dated 17.06.2025, a direction is issued to the 3<sup>rd</sup> respondent to sanction full pension along with commutation, gratuity, earned leave, encashment and all other terminal benefits to the petitioner within a period of two weeks from the date of receipt of a copy of this order: &*

*(iii) The petitioners shall surrender their community certificates (if not already surrendered) to the concerned Officials on due acknowledgment. The undertaking given by the petitioners dated 30.06.2025 that they will not make any claim or derive concessions to their child/children on the basis of their caste certificates is hereby recorded and the*



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W.P.Nos.24381 & 24387 of 2025

*same shall form part of this order. In case, any application for issuance of community certificate is made by the son/s or daughter/s of the petitioners in future for the purpose of education, employment, etc., an independent enquiry can be conducted by following due process of law and a decision shall be taken in respect of issuance of community certificate within two months from the date of receipt of application, if any made, bearing in mind the judgment of the Supreme Court / guidelines and the Government Order issued by the State Government dated 15.10.2012 (referred to supra).*

**27.** Accordingly, the Writ Petitions stand allowed. No costs.

Consequently, connected miscellaneous petitions are closed.

**31.07.2025**

Index: Yes / No

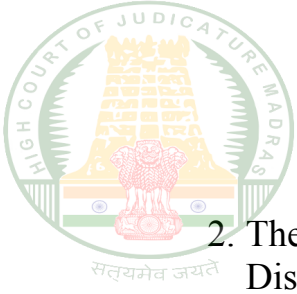
Internet: Yes / No

Speaking Order / Non Speaking Order

ar/sts

To:

1. The Chairman,  
State Level Scrutiny Committee-II/  
Additional Secretary to Government,  
Adi Dravidar and Tribal Welfare (CV-4) Department,  
Secretariat, Chennai-9.

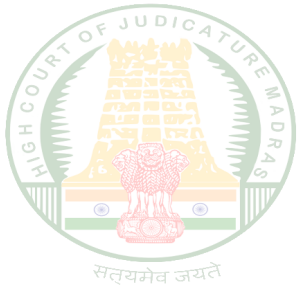


W.P.Nos.24381 & 24387 of 2025

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2. The Deputy Superintendent of Police,  
District Crime Branch / (i/c) Social Justice and Human Rights,  
SC/ST Vigilance Cell, Coimbatore Division,  
Coimbatore-18.

3. The Senior Divisional Personnel Officer,  
Divisional Office, Personnel Branch,  
Southern Railway, Madurai.



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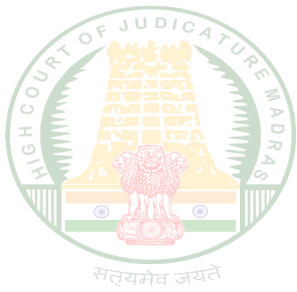


W.P.Nos.24381 & 24387 of 2025

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

Common order made in  
**W.P.Nos.24381 & 24387 of 2025**

Dated:  
**31.07.2025**



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W.P.Nos.24381 & 24387 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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

**PRONOUNCED ON : 31-07-2025**

CORAM

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

**W.P.Nos.24381 & 24387 of 2025**

**AND**

**W.M.P.Nos.27436, 27458, 27439 & 27456 of 2025**

**W.P.No.24381 of 2025:**

M.Gunasekaran  
S/o.R.Muthuvenkatachalam,  
No.F2, Plot 2, Vigneswara Dhanalakshmi Apartment,  
Sakthi Nagar, 3rd Cross, Pallavaram, Chennai 43

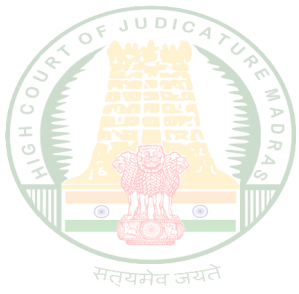
Petitioner(s)

Vs

1.The State Level Scrutiny Committee II  
represented by its Member Secretary/Deputy Conservator  
of Forest, Adi Dravidar and Tribal Welfare (CV-3)  
Department, Secretariat, Chennai – 9.

2.The Deputy Superintendent of Police  
SC/ST Vigilance Cell, District Collectorate Complex,  
Madurai Division, Madurai 20

Respondent(s)



W.P.Nos.24381 & 24387 of 2025

**W.P.No.24387 of 2025:**

G.Thangavel  
S/o.Gurusamy  
No.9/52, Periyar Nagar, Nehru Nagar East,  
Aerodrome Post, Coimbatore 641 014.

Petitioner(s)

Vs

1.The Chairman  
State Level Scrutiny Committee II / Additional  
Secretary to Government, Adi Dravidar and Tribal  
Welfare (CV-4) Department, Secretariat Chennai 9.

2.The Deputy Superintendent of Police  
District Crime Branch / (i/c) Social Justice and Human  
Rights, SC and ST Vigilance Cell, Coimbatore Division,  
Coimbatore 18.

3.The Senior Divisional Personnel Officer  
Divisional Office, Personnel Branch, Southern Railway  
Madurai

Respondent(s)

**PRAYER in WP No. 24381 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 summons (91BNSS) dated 16.05.2025 and show cause notice No. 12597 /CV- 3(2)/2012-9 dated 03.06.2025 of the first respondent and quash the same and consequently refrain the respondents from



W.P.Nos.24381 & 24387 of 2025

conducting verification into the petitioner's caste status in the light of the petitioner's retirement on 30.06.2021.

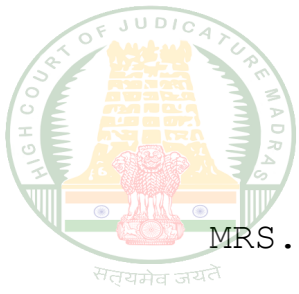
**PRAYER in WP No.24387 of 2025:**

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 C.No.76/DSP/SC/ST VIGILANCE CELL/CBE/17 dated 17.06.2025 and quash the same by refraining the respondents from conducting verification into the petitioner's caste status in the light of the petitioner's retirement in 31.12.2018 and consequently direct the third respondent to sanction full pension along with commutation, gratuity, earned leave encashment and all other terminal benefits to the petitioner.

|                                        |                                                             |
|----------------------------------------|-------------------------------------------------------------|
| For Petitioner(s)<br>in both petitions | : Mr.V.Vijayashankar                                        |
| For R1 in both<br>petitions            | : Mr.Vadivel Deenadayalan,<br>Additional Government Pleader |
| For R2 in both<br>petitions            | : Mr. Babu Muthumeeran<br>Additional Public Prosecutor      |

**COMMON ORDER**  
(Made by M.Jothiraman J.)

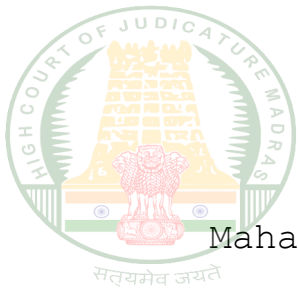
I have had the benefit of going through the opinion of the respected sister (HON'BLE



W.P.Nos.24381 & 24387 of 2025

MRS.JUSTICE J.NISHA BANU). I am unable to agree with the reasoning or the conclusion reached by Her Ladyship and I therefore give my own reasoning and conclusions.

2. It is relevant to highlight that there is no comprehensive statutory framework in our State of Tamil Nadu governing the issuance, verification and regulation of the community certificates. In this regard, several States in India have enacted a dedicated legislation that provides statutory provision for procedural aspect to deter the misuse or fraud claim of community certificate as in State of Andhra Pradesh has enacted the Andhra Pradesh (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act, 1993 (Act No.16 of 1993). Likewise, other States like Telangana, Kerala,



W.P.Nos.24381 & 24387 of 2025

Maharashtra, Odisha, Chattishgarh, Gujarat and Goa

have also enacted the similar Acts.

3. **W.P.No.24381 of 2025** has been filed assailing the summons (91BNSS) dated 16.05.2025 issued by the Deputy Superintendent of Police, State Level Scrutiny Committee II, SC/ST Vigilance Cell, District Collectorate Complex, Madurai Division, Madurai 20 and show cause notice No.12597 /CV- 3(2)/2012-9 dated 03.06.2025 issued by the Member Secretary/Deputy Conservator of Forest, Adi Dravidar and Tribal Welfare (CV-3) Department, Secretariat, Chennai.

4. **W.P.No.24387 of 2025** has been filed assailing the notice dated 17.06.2025 in C.No.76/DSP/SC/ST VIGILANCE CELL/CBE/17 issued by the Deputy Superintendent of Police, District Crime Branch/Social Justice and Human Rights, SC and ST Vigilance Cell, Coimbatore Division, directing the petitioner to appear for enquiry.

5. The case of the petitioner in W.P.No.24381 of 2025 is that he belongs to Konda Reddis (ST) community. He was issued with a community



W.P.Nos.24381 & 24387 of 2025

certificate on 01.03.1972 by the Tahsildar. He was appointed in the year 1984 in Vijaya Bank (now Bank of Baroda). After completing 37 years of service, he reached superannuation on 30.06.2021. He has been sanctioned with his own contribution of Provident Fund amounts and provisional pension and yet to be sanctioned gratuity, earned leave encashment and full pension/commutation, for which, he is taking separate legal action. While that being so, on 16.05.2025, the second respondent issued a notice calling him to appear for enquiry on 20.05.2025. He was shocked to receive the same, especially, as it seems to make verification of his community certificate issued 45 years ago and he has retired from service and he is now aged about 64 years. Based on the same, the first respondent has issued a show cause notice to him on 03.06.2025, aggrieved by which, he has filed the present writ petition.

6. The case of the petitioner in W.P.No.24387 of 2025 is that he belongs to Konda Reddis (ST) community. He was issued with a community certificate on 02.02.1980 by the Tahsildar. He was appointed in the year 1981 in Southern Railway, third respondent herein. After completing 37



W.P.Nos.24381 & 24387 of 2025

years of service, he reached superannuation on 30.12.2018. He has been sanctioned with provisional pension, but, yet to be sanctioned other benefits such as full pension, gratuity, earned leave encashment, etc., for which, he has given representation to the third respondent and the same is pending. While that being so, on 17.06.2025, the second respondent issued a notice calling him to appear for enquiry on 26.02.2025. He was shocked to receive the same, especially, as it seems to make verification of his community certificate issued 45 years ago and he has retired from service and he is now aged about 67 years. Aggrieved by the same, he has filed the present writ petition.

7. The learned counsel for the petitioners would submit that this Court in a series of judgments has consistently taken a view that after retirement of an employee, the process of verification will be academic and has restrained the committee/verifying authority from proceeding further. The petitioners have not been summoned for more than 40 years for verification of certificate and in the interregnum reached superannuation. Therefore, he would submit that respondents may be refrained from



W.P.Nos.24381 & 24387 of 2025

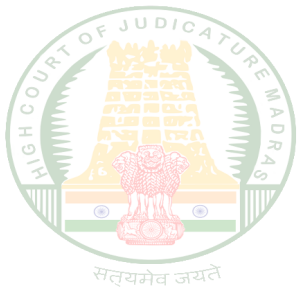
conducting verification of the petitioners' caste status, since they have retired from service. The petitioners have also filed affidavits of undertaking, respectively, stating that they will not make any claim or concession based on their community certificate.

8. *Per contra*, the learned counsel appearing for the respondents would submit that the impugned summons and show cause notice have been issued to the petitioners only to appear before the first respondent to submit their explanation along with proof of documents, if any and there is no adverse order came to be passed and the authorities concerned are taking steps to verify the community certificates in the light of the direction issued by the Hon'ble Apex Court *vide* orders dated 25.02.2025 and 02.06.2025 in Special Leave to Appeal (C) No.27890 of 2019.

9. It is relevant to extract the relevant paragraphs of the affidavits of undertaking dated 30.06.2025 submitted by the petitioners, which read as follows:

**W.P.No.24381 of 2025:**

*“2) I submit that I belong to the Konda reddy community*



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W.P.Nos.24381 & 24387 of 2025

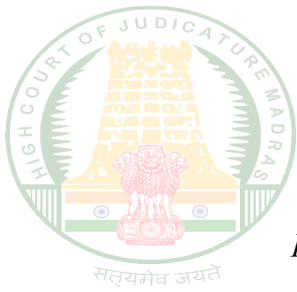
*(ST) Based on the community certificate in the year 1972 issued in my favour, I was appointed in the Vijaya Bank in the year 1984. I reached superannuation after completing 37 years of service on 30.06.2021. I submit that I have sanctioned only his own contribution of PF amounts and provisional pension alone. He has yet to be sanctioned gratuity, earned leave encashment and full pension/commutation, for which I am taking separate legal action.*

*3) I submit that I have two sons both are working in private company. I have not obtained community certificates for them to the effect that they belong to ST.*

*4) I, humbly submit that I am presently aged 64 years. I submit that I will not make any claim or derive any concessions on the basis of my caste certificate except to take such legal steps to obtain gratuity earned leave encashment and full pension/commutation for the service rendered by me. Recording the above I pray that this Hon'ble Court may pass appropriate orders restraining the respondents from conducting any verification into my caste and pass such other order or orders as may be deemed fit.*

**W.P.No.24387 of 2025:**

*“2) I submit that I belong to the Konda reddy community (ST) Based on the community certificate in the year 1980 issued in my favour, I was appointed in the Southern Railway in the year 1981. I reached superannuation after completing 37 years of service on 31.12.2018. I submit that 3rd respondent have sanctioned only provisional pension, other benefits such as full pension, commutation, gratuity, earned leave encashment etc., have not been*



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W.P.Nos.24381 & 24387 of 2025

*paid to me so far.*

*3) I submit that I have two children, one son who is working in private company and the daughter is an house wife.. I have not obtained community certificates for them to the effect that they belong to ST.*

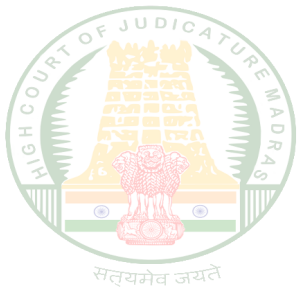
*4) I, humbly submit that I am presently aged 66 years. I submit that I will not make any claim or derive any concessions on the basis of my caste certificate. Recording the above I pray that this Hon'ble Court may pass appropriate orders restraining the respondents from conducting any verification into my caste and pass such other order or orders as may be deemed fit."*

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

11. The points for consideration of legal issues arises in these petitions are:

*1. Whether the verification of community status of Government employee can be continued even after the retirement of employee and whether an enquiry as to the genuineness of Community Certificate would be purely academic?*

*2. Whether a time limit should be prescribed for initiating*



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W.P.Nos.24381 & 24387 of 2025

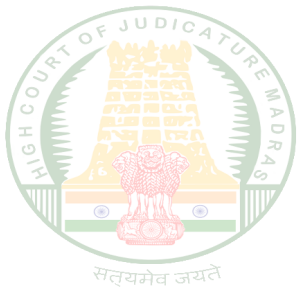
*proceedings for verification of community status or communicate certificate of an employee?*

12. It is to be noted that the Hon'ble Division Bench of this Court has already been dealt with the above legal issues in W.P.No.9995 of 2021 & 12700 of 2022 and passed an order dated 12.04.2024. The relevant paragraphs are extracted hereunder:

*"9.While hearing the lengthy arguments of not only the learned counsels appearing for the petitioners in these three cases, but also several other counsels who have raised same legal issues in the writ petitions, the learned counsel appearing for the employers in all these three cases, and Mr.P.Kumaresan, learned Additional Advocate General, appearing for the official respondents, this Court was requested to consider the following legal issues :*

*(A)Whether the verification of community status of Government employee can be continued even after the retirement of employee and whether an enquiry as to the genuineness of Community Certificate would be purely academic as observed by the Hon'ble Supreme Court in Union of India and another v. S.Renuka and others [SLP (C) No.24458/2019 dated 03.03.2023] ?*

*(B)Whether the verification of Community Certificate or community status of any individual who secured employment*



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W.P.Nos.24381 & 24387 of 2025

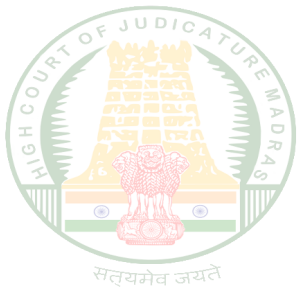
*under SC or ST quota before 1995, can be permitted/directed ?*

*(C) Whether a time limit should be prescribed for initiating proceedings for verification of community status or Community Certificate of an employee ?*

*(D) Whether terminal benefits of employees can be withheld on account of pendency of proceedings for verification as to the genuineness of Community Certificate or community status of an employee who secure employment under SC or ST quota ?*

***Issue No.(A): Whether the verification of community status of Government employee can be continued even after the retirement of employee and whether an enquiry as to the genuineness of Community Certificate would be purely academic as observed by the Hon'ble Supreme Court in Union of India and another v. S.Renuka and others [SLP (C) No.24458/2019 dated 03.03.2023] ?***

*20. Therefore, we are unable to follow the three judgments relied upon by the learned counsels appearing for the petitioners, viz., Union of India and another v. S.Renuka and others [SLP (C) No.24458/2019 dated 03.03.2023], V.Vallinayagam v. The Chairman, State Level Scrutiny Committee-II, Secretariat, Chennai [W.P.No.27823 of 2023, dated 25.09.2023] and V.Shanmugaraj v. The Chairman, State Level Scrutiny Committee-II, Secretariat, Chennai [W.P.No.29976 of 2023, dated 03.11.2023], in view of the categorical pronouncement of the Hon'ble Supreme Court in the judgments above referred to, on principles. Ratio of judgment*



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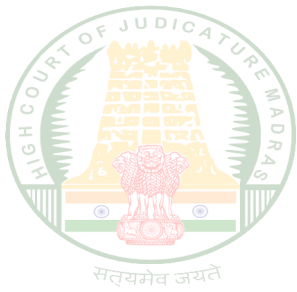


W.P.Nos.24381 & 24387 of 2025

alone is binding. It is only the reason assigned in the ratio decidendi of a judgment. **The judgment of Hon'ble Supreme Court in S.Renuka's case without considering the spirit of several judgments including larger Bench of Hon'ble Supreme Court, need not be followed.** Therefore, we have no hesitation to hold that those three judgments may not be binding precedents as they were rendered without noticing the binding precedents on principles reiterated by Hon'ble Supreme Court in the cases of Kumari Madhuri Patil, R.Vishwanatha Pillai, and Food Corporation of India (supra). Verification once started shall continue till its logical end and retirement of an employee during enquiry as to his community status does not affect the proceedings.

**Issue No.(B): Whether the verification of Community Certificate or community status of any individual who secured employment under SC or ST quota before 1995, can be permitted/directed ?**

32. When the Hon'ble Supreme Court has rendered a judgment which is reiterated in several judgments of the Hon'ble Supreme Court, there cannot be an Office Memorandum which would whittle down the judgment of Hon'ble Supreme Court which is binding as a law declared in terms of Article 141 of the Constitution. When the judgment of the Hon'ble Supreme Court is binding not only as a precedent, but as a law declared, there cannot be an official instruction on the interpretation of the judgment so as to limit its operation. This is the mischief that was



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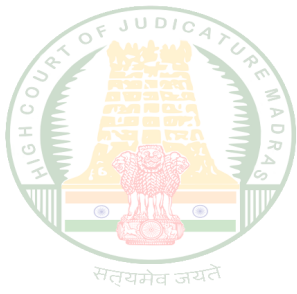
W.P.Nos.24381 & 24387 of 2025

done by way of the Office Memorandum dated 24.12.2020.

33. Therefore, this Court is unable to agree with the submission of the learned counsels appearing for the petitioners that there cannot be verification of Community Certificates which were obtained prior to 1995. Equally, merely because appointment was before 1995, it cannot be said that verification in those cases cannot be done, as rightly pointed out by Hon'ble Mrs. Justice N.Mala while expressing dissenting view that this Court cannot declare or legitimise fraud committed by a person merely because he obtained the false certificate or got employment based on a false claim before 1995. It is settled that fraud vitiates every solemn transaction and there cannot be a legal sanction to condone fraud if it is committed before 1995. Therefore, irrespective of date of Community Certificate or date of appointment before or after 1995, verification as to the genuineness of Community Certificate or claim as to one's community status shall continue to its logical end.

**Issue No.(C): Whether a time limit should be prescribed for initiating proceedings for verification of community status or Community Certificate of an employee ?**

37. As it was pointed out by the Constitution Bench of the Hon'ble Supreme Court in *State of Maharashtra v. Milind* reported in (2001) 1 SCC 4, which is clarified by later judgments, no person can take advantage of the Scheduled Tribes Order for any other purpose, merely because he has been shown indulgence to complete his course or has secured an appointment by



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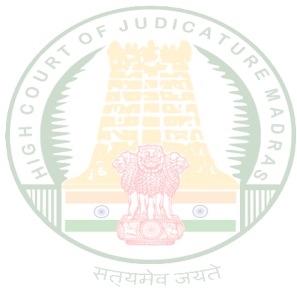
W.P.Nos.24381 & 24387 of 2025

*producing false certificate. Mere delay in making a reference does not invalidate the order on scrutiny by competent authority. Since we have held that verification can continue even after retirement of an employee, this Court finds no logic to accept the arguments of learned counsels appearing for the petitioners that there must be time limit or limitation to be prescribed.*

***Issue No.(D): Whether terminal benefits of employees can be withheld on account of pendency of proceedings for verification as to the genuineness of Community Certificate or community status of an employee who secure employment under SC or ST quota ?***

*38.This Court, in several cases, finds that the delay is caused mainly due to the recalcitrant and non-cooperative attitude of the employees who refuse to cooperate with the enquiry under some pretext or the other. Despite the Government spending huge money for establishing a machinery to verify the genuineness of the certificates or the claims as to one's community status, the manner in which the employees adopt delaying tactics, precludes us from holding that the employee should be given benefit of his employment or terminal benefits even during the pendency of verification of community status.*

*39.In a case where the verification was initiated just before retirement on the basis of a stale claim or a complaint without any verifiable material, the terminal benefits of an employee cannot be withheld merely because the enquiry has been commenced. In all other cases, where delay is attributable to*



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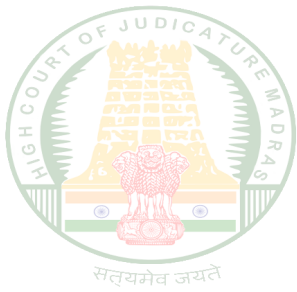


W.P.Nos.24381 & 24387 of 2025

*the conduct of employee, there must be some protection to the employer in the matter of disbursement of retirement benefits. Depending upon the individual cases, this Court can direct provisional pension to be disbursed to the employee subject to the outcome of verification process either by State Level Scrutiny Committee or by the District Level Vigilance Committee. Once a person is retired, the verification process cannot be delayed beyond three months. If the employee seeks unnecessary adjournment or refuses to appear for an enquiry, he need not be given provisional pension or retirement benefits without giving him a clean chit as to the genuineness of his claim."*

13. It is apposite to mention that with regard to the legal issues as to whether the Office Memorandum dated 24.12.2020 prohibits the scrutiny of caste certificate issued prior to 1995 and there can be any limitation for reviewing the act of fraud on constitution, the Hon'ble Division Bench of this Court in W.P.No.4484 of 2021 *vide* order dated 24.08.2023, has delivered a split verdict. In view of the same, the case was placed before the learned third Judge to decide the legal issues. The learned third Judge *vide* order dated 16.11.2023, had formulated the following points for consideration:

*"(i) Whether the O.M., dated 24.12.2020 prohibits*



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W.P.Nos.24381 & 24387 of 2025

*scrutiny of caste certificate issued prior to 1995?*

*(ii) Whether the observation in the said O.M., that the decision of the Hon'ble Supreme Court in Kumari Madhuri Patel Vs. Additional Commissioner can be implemented only prospectively is legally sustainable?*

*(iii) Can there be any limitation for reviewing act of fraud on constitution?"*

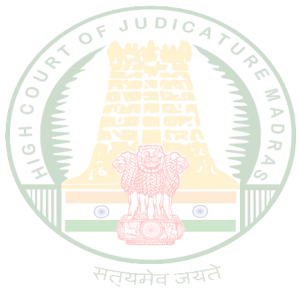
14. The relevant paragraphs of the aforesaid order, in which answers to the above questions are given, are extracted hereunder:

*"35. In the light of the above discussion and reasoning, the questions framed for consideration are answered as below:-*

*(i) Whether the O.M., dated 24.12.2020 prohibits scrutiny of caste certificate issued prior to 1995?*

*NO. The observations made in the said OM is misconception of the earlier OM dated 25/05/2005 and the CVC circular is general in nature. There can be no executive order prohibiting enquiry of fake or false caste certificate which is not only a misconduct in the parlance of service jurisprudence but a crime under penal law.*

*(ii) Whether the observation in the said O.M., that the decision of the Hon'ble Supreme Court in Kumari*



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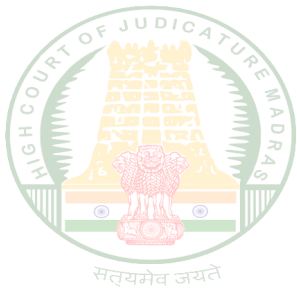


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*Madhuri Patel Vs. Additional Commissioner can be implemented only prospectively is legally sustainable?*

*No. Any interpretation of the Supreme Court judgment contrary to the spirit of the judgment is non est in law as per the decision of the constitutional Bench of the Supreme Court in its judgement rendered in Commissioner of Central Exercise -vs- Rathan Melting and wire Industries ( 2008 (13) SCC 1).*

*(iii) Can there be any limitation for reviewing act of fraud on constitution? Fraud vitiates every solemn Act. By executive orders limitation cannot be prescribed by acts of fraud committed against constitution and laws. The petitioner herein whose birth register entry made in the year 1958 show he belong to Hindu Man Ottan community. He had obtained community certificate from Tahsildar, Attur at Salem District as if he belongs to Kattunaiyakan community which is a Schedule Tribe. His ST certificate cancelled by the District Collector after enquiry as early as 1992 (i.e) even before Maduri Patil judgment. However the petitioner was able to manover, by filing writ petitions in sequences. He had not cooperated for enquiry conducted by State Level Scrutiny Committee. Enquiry by a senior police officer of the rank of DSP attached to the special vigilance cell for SC/ST had unravelled several truth about the dishonest act of the petitioner which independently requires prosecution apart from confiscation of his false community certificate*



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*besides departmental proceedings.*

*36. As a result, the judgement of the Hon'ble Mrs. Justice N.Mala is confirmed. The Writ Petition stands dismissed.*

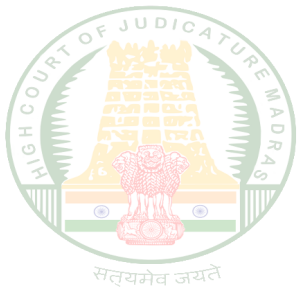
*37. Since the petitioner has prevented the valuable right of public office of a Schedule Tribe Member, it is open to the State to take necessary penal action against the petitioner for offences under IPC and also under Section 3 (1)za (E) of SC /ST (Prevention of Atrocities) Act. The second respondent/Employer is permitted to proceed against the petitioner for necessary action for recovery in accordance with law. No costs. Consequently, connected Miscellaneous Petitions are closed."*

15. Feeling aggrieved by the above order dated 16.11.2023 in W.P.No.4484 of 2021, the writ petitioner therein has preferred the Special Leave Petition before the Hon'ble Supreme Court in SLP. (CIVIL) Diary No. 50747/2023, in which, the Hon'ble Apex Court *vide* order dated 15.12.2023, has passed the following order:

*"Delay condoned.*

*Issue notice to the respondents, returnable in six weeks. Until the next date of listing, **operation of para 37 of the impugned order dated 16.11.2023 shall remain stayed.***

*We further grant liberty to the respondents to take note*



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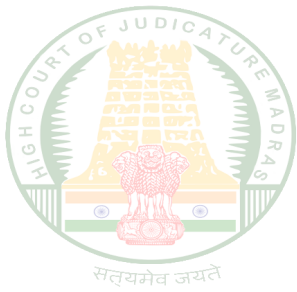
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*of the judgment in Chairman and Managing Director, Food Corporation of India and Others v. Jagdish Balaram Bahira and Others (2017) 8 SCC 670 and pass appropriate orders in the matter of stopping provisional pension subject to final outcome of these special leave petitions.*

*Pending applications stand disposed of."*

16. A careful perusal of the above order dated 15.12.2023 shows that paragraph no.37 of the order dated 16.11.2023 passed in W.P.No.4484 of 2021 alone has been stayed by the Hon'ble Apex Court.

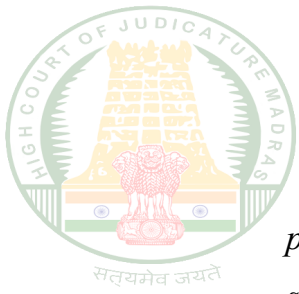
17. It is pertinent to mention that with regard to the issuance of community certificate based of the community certificate already issued to the parents and relatives has already been dealt with by the Hon'ble Division Bench of this Court in W.P.No.11336 of 2019 *vide* order dated 22.04.2019. Aggrieved over the same, the State has also preferred an appeal before the Hon'ble Supreme Court of India in Special Leave to Appeal (C) No.27890 of 2019 .



WEB COPY 18. It is most relevant to cite that the Hon'ble Division Bench of this Court in W.P.No.11336 of 2019 *vide* order dated 22.04.2019 had issued direction to provide community certificate based on the father's and relatives' community certificates to the writ petitioner's minor son therein (Hindu Konda Reddis (ST) Community). The relevant portion of the said order is extracted hereunder:

*"2. It is the case of the petitioner that her family belongs to Konda Reddis Community, which is classified as a Scheduled Tribe Community. The petitioner was issued with Community Certificate on 30.06.1986 by the Tahsildar, Mettur Dam. The petitioner's own brother B.Vinothkumar was also issued with a Community Certificate in the year 1989 by the Tahsildar. All of them, including the petitioner, had been described as belonging to the Konda Reddis Community in their educational and land records. It is also stated that the petitioner's close relatives possess Community Certificates describing them as belonging to Konda Reddis Community.*

*3. On 20.10.2016, the petitioner applied to the respondent for issuance of Community Certificate for her minor child, viz., S.P.Yesvanth, by enclosing necessary documents including Community Certificates of herself, her sister, her brother and other close relatives. By the impugned order dated 23.03.2018, the petitioner's application stated above, was rejected. Hence, the*



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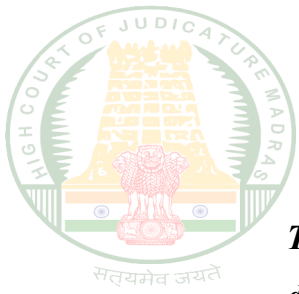
*petitioner has filed the present Writ Petition for the relief stated supra.*

*4. When the Writ Petition is taken up for hearing, the learned counsel for the petitioner made his submissions adverting to the averments made in the affidavit filed in support of the Writ Petition.*

*5. This Court also heard the submissions of the learned Special Government Pleader appearing for the respondent on the above aspects.*

*6. Learned counsel for the petitioner submitted that by the impugned order, a common order has been passed in respect of several individuals who applied along with the petitioner by assigning stereo-typed reasons and the respondent has summarily rejected the petitioner's request. However, learned counsel for the petitioner submitted that the respondent/RDO has made discreet enquiry behind the back of the petitioner and placed reliance on such materials. Learned counsel for the petitioner further stated that the impugned order was passed by the RDO, Sankagiri, who was holding the additional charge of the post of RDO, Mettur Dam.*

***7. Be that as it may. As on date, the Community Certificates issued to the petitioner, her sister, her brother and also of her close relatives, were not cancelled and when they were not cancelled, there cannot be any impediment in issuing the Community Certificate to the petitioner's son. Accordingly, the respondent-RDO Mettur Dam, Salem District, is directed to issue a Community Certificate to the petitioner's son S.P.Yesvanth, within a period of two weeks from the date of receipt of a copy of this order.***



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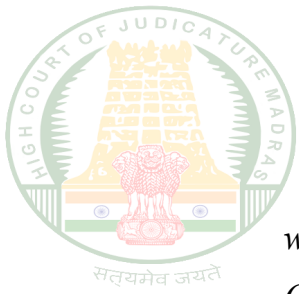
*Thereafter, the respondent-RDO, Mettur Dam, Salem District is directed to refer the said Community Certificate of the petitioner, petitioner's brother, petitioner's sister and also her close relatives and also of her son to be issued as directed above, to the State Level Scrutiny Committee for verification of the genuineness of the same. The State Level Scrutiny Committee shall verify the genuineness of the Community Certificates of the petitioner, petitioner's brother, petitioner's sister and also of her close relatives, as also her son to be issued as directed above, and pass appropriate orders on or before 31.10.2019.*

*8. With the above observations and directions, this Writ Petition is disposed of. No Costs."*

19. Aggrieved over the above order passed in W.P.No.11336 of 2019, the Sub Collector/Revenue Divisional Officer has preferred a Petition before the Hon'ble Supreme Court in Petition for Special Leave to Appeal (C) No.27890 of 2019. The Hon'ble Supreme Court, vide order dated 25.02.2025, has passed the following order:

*"4. This litigation has something to do with Caste Certificate. It is the case of the respondent herein that she belongs to Hindu Konda Reddis Community (Scheduled Tribe).*

*5. She applied for a caste certificate for her son. The same*



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was declined after an inquiry undertaken by Revenue Divisional Officer (for short the “RDO”). In such circumstances, the respondent preferred a writ petition in the High Court. The High court disposed of the writ petition observing the following in para 7:-

“7. Be that as it may. As on date, the Community Certificates issued to the Petitioner, her sister, her brother and also of her close relatives, were not cancelled and when they were not cancelled, there cannot be any impediment in issuing the Community Certificate to the Petitioner's son. Accordingly, the Respondent RDO Mettur Dam, Salem District, is directed to issue a Community Certificate to the Petitioner's son S.P. Yesvanth, within a period of two weeks from the date of receipt of a copy of this order. Thereafter, the Respondent-RDO, Mettur Dam, Salem District is directed to refer the said Community Certificate of the Petitioner, Petitioner's brother, Petitioner's sister and also her close relatives and .also of her son to be issued as directed above, to the State Level Scrutiny Committee for verification of the genuineness of the same. The State Level Scrutiny Committee shall verify the genuineness of the community. Certificates of the Petitioner, Petitioner's brother, Petitioner's sister and also of her close relatives, as also her son to be issued as directed above, and pass appropriate orders on or before 31.10.2019.”



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6. Para 7 is in two parts. The first part of the para 7 says that the necessary certificate be issued in favour of the son of the respondent herein and the second part says that after the same is issued let there be a thorough inquiry at the end of the State Level Scrutiny Committee whether the entire family belongs to the Hindu Konda Reddis Community (ST) or not.

7. Caste Certificate seems to be a big big problem in the State of Tamil Nadu. It appears that thousands of such certificates have been issued certifying people to be members of the Hindu Konda Reddis Community falling within Scheduled Tribe.

8. It is a different thing to say whether RDO could have inquired into the genuineness of the claim or not. We do not propose to get into this controversy for the present.

9. However, we would like to ensure whether these certificates are genuine or not. We would also like to know in what manner such caste certificates have been procured by thousands of people in the area.

**10. For the present, we do not level any allegations but prima facie it appears to be a huge racket. This is something extremely dangerous.**

11. In such circumstances, we propose to pass an interim order today.

12. We are conscious of the fact that the State has been able to obtain an interim order by which the operation of the impugned judgment has been stayed. However, we modify the order to the extent that let the State Level Scrutiny Committee undertake an



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*extensive inquiry into this issue at the earliest and file its report before us to enable us to proceed further in the matter. We direct the State Level Scrutiny Committee to undertake this exercise at the earliest and file its appropriate report within six weeks from today without fail. The Report should be exhaustive supported by some contemporaneous record and it should be in correct English.*

*13. Once the report comes on record, we shall thereafter proceed to look into each of the petitions independently and decide them on their own merits.*

*14. It goes without saying that in the course of the inquiry all stake holders in other words all those who claim to be members of this Hindu Konda Reddis Community shall be heard.*

*15. The Committee shall undertake a fair, transparent and impartial inquiry without being influenced in any manner by any of the observations made in the impugned order or by any other extraneous consideration including any observation made by this Court on merits in the present order.*

*16. We expect the State level Scrutiny Committee to assist us in the right direction.*

*17. Rest of the interim order shall continue to operate.*

*18. The impugned order of the High Court is modified to the extent indicated above."*

20. Further, the Honb'le Apex Court in the said Special Leave to Appeal (C) No.27890 of 2019 *vide* dated 02.06.2015 has passed the



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following order:

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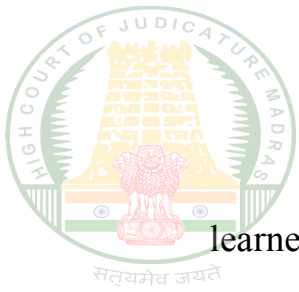
*“ 1. Let I.A. Nos. 135459 of 2025 and 135460 of 2025 be placed before the appropriate Bench subject to approval of Hon'ble the Chief Justice of India.*

*2. Considering that the Bench which has passed the earlier orders in the present matters is not available during the partial Court working days, the time allowed for submission of the report to the State Level Scrutiny Committee by this Court vide order dated 25.02.2025 shall stand extended by a further period of three months.*

*3. Accordingly, I.A. No.93854 of 2025 seeking extension of time is allowed.”*

21. From the reading of the above order, it is clear that the Hon'ble Supreme Court has issued directions to the State Level Scrutiny Committee in paragraph nos.14 and 15 to undertake a fair, transparent and impartial inquiry without being influenced in any manner by any of the observations made by the Hon'ble Supreme Court.

22. It is brought to the notice of this Court that the Hon'ble Division Bench of this Court by order dated 27.03.2024 in W.P.No.31452 of 2022, had passed a dissenting order. Thereafter, the issue was decided by the



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learned third Judge of this Court *vide* order dated 20.09.2024. The facts of that case are that the petitioner therein was issued with the community certificate by the Tahsildar, Mettur, on 14.09.1978, based on which, he was appointed as Time Scale Clerk in the Department of Telecommunication on 07.09.1979 and he was terminated from service *vide* order dated 01.06.1984 on the basis of the letter of the Collector and thereafter, the petitioner therein challenged the same before this Court and the same was transferred to the Central Administrative Tribunal in T.A.No.6 of 1992, which was allowed on 16.03.1994. When the District Level Vigilance Committee attempted to verify the petitioner's community certificate, he had challenged the same in W.P.No.6404 of 2004 on the ground that the District Level Vigilance Committee did not have jurisdiction to verify the community certificate. The said writ petition came to be allowed stating that the competent authority was the State Level Scrutiny Committee. Meanwhile, the petitioner therein superannuated from service on 30.11.2014. After superannuation, the petitioner therein had received summons from the Vigilance Cell for enquiry in February 2019. Finally, the Tamil Nadu State Level Scrutiny Committee-III had canceled the community certificate of the petitioner's therein *vide*

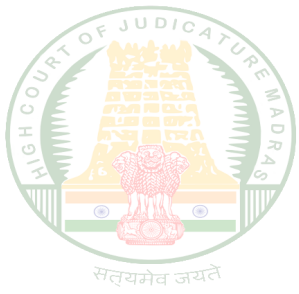


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order dated 17.08.2021, aggrieved by which, a writ petition came to be filed by the petitioner therein. In the instant case on hand, after retiring from their service, the second respondent has issued summons for appearance of the petitioners to conduct enquiry with regard to the genuineness of their community certificates. The facts of the present case is entirely different from the facts of the case involved in the aforesaid writ petition in W.P.No.31452 of 2022.

23. It is to be noted that the State Government of Tamil Nadu has constituted the District Level Vigilance Committee and State Level Scrutiny Committee and also issued guidelines to verify the genuineness of the community certificate issued to the persons belonging to the SC & ST vide Government Order in G.O.Ms.No.106 dated 15.10.2012 (Adi Dravidar and Tribal Welfare (CV- I) Department), the relevant portion of which, reads as follows:

*“In order to protect the welfare of the genuine Scheduled Castes/Scheduled Tribes people from the false claimants, the Government have been examining the matter to frame suitable guidelines based on the guidelines issued by Supreme Court of India*



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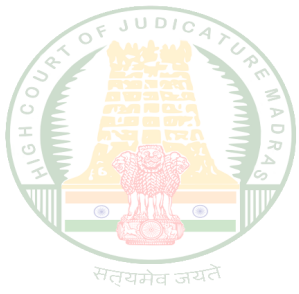


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*in Madhuri Patil and another Vs Additional Commissioner, Tribal Development and others to suit the conditions prevailing in Tamil Nadu, so that they could work out in a systematic manner without facing any difficulty in its implementation. Accordingly in supersession of the orders and guidelines issued on the subject, the Government have issued orders in the G.O. 5th cited modified the constitution of the District Level Vigilance Committee and State Level Scrutiny Committee as well as their functions as detailed therewith.*

*2. However, as per the Supreme Court direction, the Vigilance Cells have not been constituted to verify the community status of the persons belonging to Scheduled Castes/Scheduled Tribes and to submit its report to the District Level Vigilance Committee/State Level Scrutiny Committee. Hence the District Level Vigilance Committees/State Level Scrutiny Committee utilizes the services of the Revenue Officials such as Tahsildars/Revenue Divisional Officers for making spot enquiry about the individual's Scheduled Castes/Scheduled Tribes community status going to their place and submits the reports to the competent Committee.*

*3. Whiles, the Hon'ble Bench of Madras High Court in various Writ Petition Nos. 20277/2011, 17002/2011, 25148/2011 filed by Tvl. P. Vinoth, S. Saraswathi and V. Sampangiramiah respectively has set aside the proceedings of the State Level Scrutiny Committee when the Community Certificate was declared as not genuine stating that the State Level Scrutiny Committee has not obtained the spot enquiry report of the Vigilance Cells as directed*



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by the Supreme Court and also directed that it is high time that the Government should take note of the same and constitute vigilance cells with qualified personnel to decide about the communal status of the candidates so as to head off the repetition of such sort of decisions given by the State Level Scrutiny Committee in a half – hearted manner”. Further in W.P. No.16325 of 2012 and M.P. No. 1 of 2012 filed by Thiru. R.P. Arul Vs the Secretary to Government, Adi Dravidar and Tribal Welfare Department had directed to constitute a Vigilance Cell citing its earlier orders of the Hon’ble Division Bench of Madras High Court passed in W.P. No. 20277 of 2011 filed Thiru. P. Vinoth Vs Sub-Collector, Ranipettai.

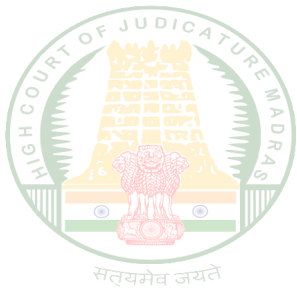
4. In consonance to the orders of the Supreme Court of India and as per the directions of Hon’ble Bench of Madras High Court, Madras in the above Writ Petitions, the Government after careful examination have decided to constitute Vigilance Cells and also to modify the functions of the Committees ordered in G.O.(2D)No. 108 Adi Dravidar and Tribal Welfare Department dated 12.09.2007.

**5. Formation of Vigilance Cells:-**

The Vigilance Cells are constituted regional level to verify the community status of the persons belonging to Scheduled Castes/Scheduled Tribes and to submit its report to the competent committee as below:-

i. Chennai Region : Chennai, Tiruvallur, Kancheepuram, Vellore, Tiruvannamalai, Villupuram and Cuddalore. The Headquarters is Chennai.

ii. Salem Region: Salem, Dharmapuri, Krishnagiri,



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*Namakkal, Erode,*

*Coimbatore and Tiruppur. The Headquarters is Salem.*

*iii. Tiruchirapalli Region: Tiruchirapalli, Karur, Perambalur, Ariyalur, Thanjavur, Nagapattinam, Tiruvarur, Dindugal and The Nilgiris. The Headquarters is Tiruchirapalli.*

*iv. Madurai Region: Madurai, Theni, Sivagangai, Virudhunagar, Pudukottai, Ramanathapuram, Thoothukudi, Tirunelveli and Kanniyakumari.*

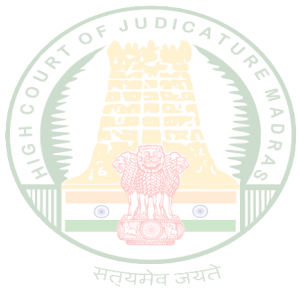
*The Headquarters is Madurai.*

*6. The following Staff are sanctioned for each vigilance cell*

| <i>Sl.No.</i> | <i>Name of the Post</i>                             | <i>Number of Posts</i> |
|---------------|-----------------------------------------------------|------------------------|
| <i>1</i>      | <i>Senior DSP</i>                                   | <i>1</i>               |
| <i>2</i>      | <i>Inspector of Police/ Sub Inspector of Police</i> | <i>1</i>               |
| <i>3</i>      | <i>Police Constable</i>                             | <i>1</i>               |
|               | <i>Total Post</i>                                   | <i>3</i>               |
|               | <i>Total Strength for four person</i>               | <i>4X3 = 12</i>        |

*7. The Home Department is requested to take action for allotment of the police personnel so sanctioned at para 6 above to the said four Regional level Vigilance Cells on deputation basis. Each Vigilance Cell will be functioning under the control of the Senior Deputy Superintendent of Police and these cells shall be located at the respective District Police Head Quarter under the control of Director of Tribal Welfare.*

*8. The Police Personnel so sanctioned at para 6 above shall work directly under the control of the Director of Tribal Welfare*



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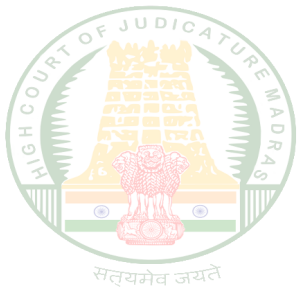
*after being imparted special training on verification of Scheduled castes/Scheduled Tribes in co-ordination with the Commissioner of Adi Dravidar Welfare and Director, Tribal Research Centre, Ooty.*

#### *10. Functions of the Vigilance Cells*

*i) Petition/Application/Scrutinisation for verification of the caste certificate by the District Level Vigilance Committee/State Level Scrutiny Committee shall be filed within a period of six months in case of appointment already made and in case of seeking admission into educational institution or an appointment to a post the individual/parent or employer or recruiting agency shall be filed at least six months before in advance to the committee as the case may be.*

*ii) On receipt of the application from the employer/recruiting agency for verification of the genuineness of the Community Certificate of the individual the District Level Vigilance Committee/State Level Scrutiny Committee to refer the case to the respective Vigilance Cell where the Community Certificate was issued to the individual by the competent authority for verification of the community status of the individual.*

*iii) On receipt of the reference from District Level Vigilance Committee/State Level Scrutiny Committee, the Inspector of the vigilance cell would go to the local place of residence and original place from which the candidate hails and usually resides or in case of migration to the town or city, the place from which he originally hailed from. The Vigilance officer should personally verify and collect all the facts of the social status claimed by the candidate or*



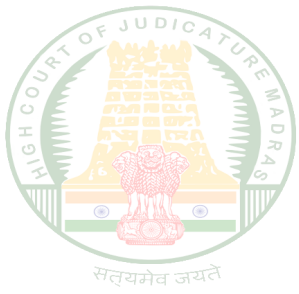
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*the parent or guardian as the case may be. He also should examine the school records, birth registration, if any. He should also examine the parent, guardian or the candidate in relation to their caste, etc or such other persons who have knowledge of the social status of the candidate and then submit a report to the District Level Vigilance Committee/State Level Scrutiny Committee together with all particular's of as envisaged in the proforma, in particular the Scheduled Tribes relating to their peculiar anthropological and ethnological traits, deity, rituals, customs, mode of marriage, death ceremonies, method of burial of dead bodies etc by the concerned castes or tribes or tribal communities etc.*

*iv) The District Level Vigilance Committee/ State Level Scrutiny Committee, on receipt of the report from the Vigilance officer if it is found that the claim for social status to be “not genuine” or “doubtful” or spurious or falsely or wrongly claimed, the competent committee should issue show cause notice supplying a copy of the report of the vigilance officer to the candidate by a registered post with acknowledgement due or through the head of the concerned educational institution in which the candidate is studying or employed. The notice should indicate that the representation or reply, if any would be made within two weeks from the date of the receipt of the notice and in no case on request not more than 30 days from the date of the receipt of the notice. In case the candidate seeks for an opportunity of hearing the claims an inquiry to be made in that behalf, the competent committee on receipt of such representation/reply shall convene the committee*



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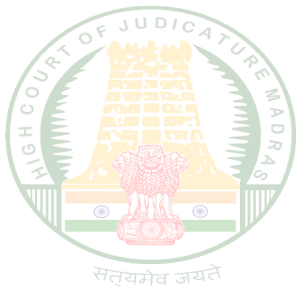
*and the chairman who shall give reasonable opportunity to the candidate/ parent/guardian to adduce all evidence in support of their claim. After giving such opportunity either in person or through counsel, the committee may make such inquiry as it deems expedient and consider the claims vis-à-vis the objections raised by the candidate or opponent and pass an appropriate order with brief reasons in support thereof.*

*v) In case the report is in favour of the candidate and reported to be genuine and true, the committees will decide. No further action need be taken except where the report or the particulars given are procured or found to be false or fraudulently obtained and in the latter event the same procedure as is envisaged in para (iii) be followed.*

*vi) Notice contemplated in para (iii) should be issued to the parents/guardian also in case candidate is minor to appear before the committee with all evidence in his or their support of the claim for the social status certificates.*

*vii) The inquiry should be completed as expeditiously as possible preferably by day to day proceedings within such period not exceeding two months. If after inquiry, the competent committee finds the claim to be false or spurious, they should pass an order cancelling the certificate issued and confiscate the same. It should communicate within one month from the date of the conclusion of the proceedings the result of enquiry to the parent/guardian and the applicant.*

*viii) In case of any delay in finalizing the proceedings and in*



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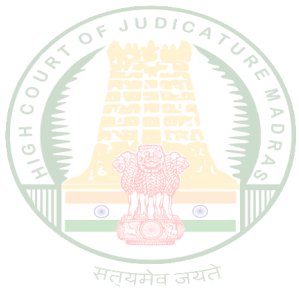
*the meanwhile the last date for admission into an educational institution or appointment to an office or post is getting expired, the candidate be admitted by the Principal or such other authority competent in that behalf or appointed on the basis of the social status certificate already issued or an affidavit duly sworn by the parent/guardian/candidate before the competent officer or non-official and such admission or appointment should be only provisional, subject to the result of the inquiry by the scrutiny committee.*

*ix) The order passed by the committees shall be final and conclusive only subject to the proceedings under Art 226 of the constitution.*

*x) No suit or other proceedings before any other authority should lie.*

*xi) In case, the certificate obtained or social status claimed found to be false, the parent/guardian/ the candidate should be prosecuted for making false claim. If the prosecution ends in a conviction and sentence of the accused, it could be regarded as an offence involving moral turpitude, disqualification for elective posts or offices under the state or the union or elections to any local body, legislature or the Parliament.*

*xii) As soon as the finding is recorded by the scrutiny committee holding that the certificate obtained was false, on its cancellation and confiscation simultaneously, it should be communicated to the concerned educational institution or the appointing authority by registered post with acknowledgment due*



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*with a request to cancel the admission or the appointment. The Principal etc of the educational institution responsible for making the admission or the appointing authority, should cancel the admission/appointment without any further notice to the candidate and debar the candidate for further study or continue in office in a post and accordingly the above guidelines will be incorporated in the Annexure to the G.O. (2D) No. 108 Adi Dravidar and Tribal Welfare Department dated 12.09.2007.*

*11. All the Heads of Departments, District Collectors, Universities, Educational Institutions, Central / State / Public Sector Undertakings in respect of persons belonging to their institutions and other recruiting agencies which are implementing constitutional reservation benefits to Scheduled Castes/Scheduled Tribes are directed to follow the orders issued in para 3 of the G.O. (2D) No. 108 Adi Dravidar and Tribal Welfare Department dated 12.09.2007 strictly for the verification 6 of the genuineness of Community Certificates issued as Scheduled Castes /Scheduled Tribes.”*

24. In the instant case on hand, according to the petitioners, the community certificates (Konda Reddis (ST) Community) issued in their favour by the Tahsildar still holds good and has not been canceled so far and after their retirement, process of verification will be academic and has restrained the verifying authority from proceeding. For the past forty years,

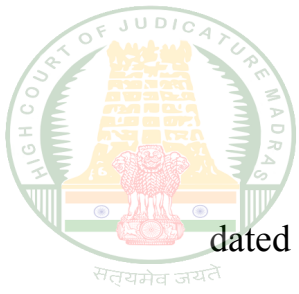


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they have not been summoned for verification and in the interregnum reached superannuation. For consideration of this Court, they also filed affidavits of undertaking.

25. It is not the case of the petitioners that there is a violation of principle of natural justice and there is a defiance of the guidelines issued by the Hon'ble Supreme Court and the Hon'ble Division Benches of this Court and the impugned noticed issued by the authorities are not in consonance with G.O.Ms.No.106 dated 15.10.2012 (Adi Dravidar and Tribal Welfare (CV- I) Department). It is no doubt, High Court play a crucial role in dealing with issuance and verification of Scheduled Caste(s) and Scheduled Tribe(s) community certificates, as mandated under the Constitution of India by balancing the need to verify authenticity by protecting genuine individuals' right from harassment or undue delay.

26. Thus, keeping in mind the ratio laid down by the Hon'ble Supreme Court in various cases pertaining to this issue and the Hon'ble Division Benches of this Court and also taking into account G.O.Ms.No.106



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dated 15.10.2012 Adi Dravidar and Tribal Welfare (CV- I) Department, I

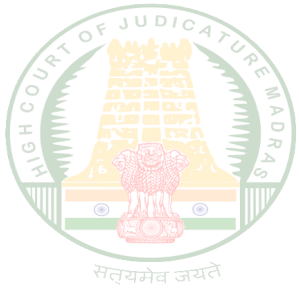
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am of the view that verification once started shall continue till its conclusion and mere acceptance of undertaking affidavits filed by the petitioners for restraining the authorities is not sustainable under law when the authorities are empowered to issue the impugned notices calling upon the petitioners for enquiry to verify the genuineness of their community certificates in order to ensure implementation of constitutional reservation benefits to the Scheduled Castes and Scheduled Tribes and therefore, the same cannot be quashed at this stage. There is no merits in these petitions and the same is liable to be dismissed.

*Ergo*, these writ petitions stand dismissed. No costs. Connected W.M.Ps. are closed.

**(M.J.R., J.)**  
**31-07-2025**

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



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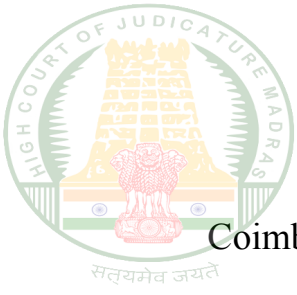
To

1.The State Level Scrutiny Committee II  
represented by its Member Secretary/Deputy Conservator  
of Forest, Adi Dravidar and Tribal Welfare (CV-3)  
Department, Secretariat, Chennai – 9.

2.The Deputy Superintendent of Police  
SC/ST Vigilance Cell, District Collectorate Complex,  
Madurai Division, Madurai 20

3.The Chairman  
State Level Scrutiny Committee II / Additional  
Secretary to Government, Adi Dravidar and Tribal  
Welfare (CV-4) Department, Secretariat Chennai 9.

4.The Deputy Superintendent of Police  
District Crime Branch / (i/c) Social Justice and Human  
Rights, SC and ST Vigilance Cell, Coimbatore Division,



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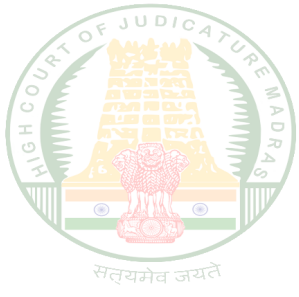
Coimbatore 18.

5. The Senior Divisional Personnel Officer  
Divisional Office, Personnel Branch, Southern Railway  
Madurai

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

nsd

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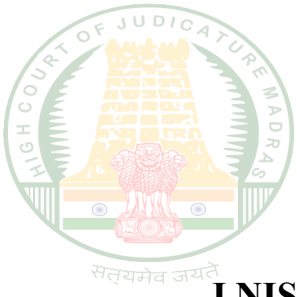


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31.07.2025



W.P.Nos.24381 & 24387 of 2025

**W.P.Nos.24381 & 24387 of 2025**

**J.NISHA BANU, J.**

**AND**

**M.JOTHIRAMAN, J.**

Today, (31.07.2025), these writ petitions are listed under the caption 'for pronouncement of orders'.

2. These writ petitions came to be allowed by me. After pronouncement of orders by me, Hon'ble Mr.Justice M.Jothiraman, pronounced the orders, dismissing the writ petitions.

3. In view of the contradictory views taken in the present case by us, Registry is directed to place this matter before the Honourable the Chief Justice for further action in this regard.

(J.N.B.J.) & (M.J.R.J.)

**31.07.2025**

sts