

ITEM NO.24

COURT NO.13

SECTION XII

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition for Special Leave to Appeal (C) No. 27890/2019

[Arising out of impugned final judgment and order dated 22-04-2019 in WP No. 11336/2019 passed by the High Court of Judicature at Madras]

THE SUB COLLECTOR/ REVENUE DIVISIONAL OFFICER

Petitioner(s)

VERSUS

B PRADEEPA

Respondent(s)

IA No. 174178/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 18049/2025 - EXEMPTION FROM FILING O.T.

IA No. 164115/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

IA No. 18048/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

WITH

SLP(C) No. 9496/2024 (XII)

SLP(C) No. 10301/2024 (XII)

IA No. 98277/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

SLP(C) No. 9495/2024 (XII)

IA No. 206533/2024 - EXEMPTION FROM APPOINTMENT OF OFFICIAL TRANSLATOR

IA No. 91213/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

SLP(C) No. 10298/2024 (XII)

SLP(C) No. 10299/2024 (XII)

SLP(C) No. 9494/2024 (XII)

Date : 25-02-2025 These matters were called on for hearing today.

CORAM :

**HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE R. MAHADEVAN**

**For Petitioner(s) : Mr. Jaideep Gupta, Sr. Adv.
Mr. D.kumanan, AOR
Mr. Sabarish Subramanian, AOR**

**For Respondent(s) :Mr. R Balasubramanian, Sr. Adv.
Mr. Yusuf, AOR**

**Mr. B Venkatraman, Adv.
Dr. Ram Sankar, Adv.
Mrs. Harini Ramsankar, Adv.
Ms. Sujatha Bagadhi, Adv.
Mr. Debasish Mishra, Adv.
Ms. Sanya Minhas, Adv.**

**Mr. R. Anand Padmanabhan, Sr. Adv.
Mr. Aravind C., Adv.
Mr. Romil Pathak, Adv.
Mr. Bharat Shandilia, Adv.
Mr. Arimardhan Sharma, Adv.
Ms. Ruchi Arya, Adv.
Ms. Mirinalini Ramesh, Adv.
Ms. Jagrati Singh, AOR**

**Mr. Anish R. Shah, AOR
Mr. Rakesh Sharma R., AOR**

**UPON hearing the counsel the Court made the following
O R D E R**

1. Since the issues raised in all the captioned petitions are same those were taken up for hearing analogously and the following order is passed today.

2. We heard Mr. Jaideep Gupta, the learned senior counsel appearing for the petitioner-State and Mr. R Balasubramanian, the learned senior counsel appearing for the respondent.

3. We treat the matter at serial no.24 as the lead matter for the time being.

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, 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.

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.

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.

(CHANDRESH)
ASTT. REGISTRAR-cum-PS

(POOJA SHARMA)
COURT MASTER (NSH)