

**P.Kottaichamy Vs. the Headmaster**

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**Court :** Chennai

**Decided On :** Nov-08-2011

**Judge :** K.Chandru, J.

**Appeal No. :** W.P.(MD)No.769 of 2011

**Appellant :** P.Kottaichamy

**Respondent :** The Headmaster

**Judgement :**

1. It is the strange writ petition, wherein the petitioner seeking for corrections in the Transfer Certificate issued by the Schools in which the petitioner had studied earlier. The petitioner had named the Headmaster of two schools where the petitioner studied the Primary education, Higher Secondary education as well as the Principal of the College in which he studied as R1 to R3.

2. The contention of the petitioner was his true caste is Hindu-Paraiyan, which is declared as Scheduled Caste under the presidential order and it is also evidenced from the caste certificate issued by the Tahsildar, Madurai South. After obtaining the certificate describing the petitioner as Hindu- Paraiyan, he sent representation to schools and colleges seeking for altering his transfer certificate issued by those Schools and College.

3. Admittedly, the community certificate was issued only on 05.06.2007. The petitioner on the strength of the said certificate, cannot have his school certificate

altered into one Hindu-Paraiyan. According to the petitioner, he has been wrongly described as Hindu-Pallan.

4. The contention of the learned counsel for the petitioner is that if there is discrepancy in the community certificate issued by the Tahsildhar, Madurai South, there will be future problem either before the passport authority or when required for any other proof.

5. This Court cannot entertain the writ petition on the basis of apprehension. Insofar as the issuance of community certificate is concerned, the Tahsildhar is the statutory authority, who alone is competent to issue the said certificate and the said certificate is valid for all purposes until subject to any cancellation by the competent State Level Vigilance Committee constituted in terms of the Supreme Court orders in Kumari Madhuri Patil Vs. Additional Commissioner, Tribal Development reported in 1994 (6) SCC 241. The Supreme Court has held that only in such cases, the employer or educational institution is bound to go upon the said cancellation, otherwise the community certificate issued by the competent authority is valid.

6. If the petitioner has any future problem, with any other authority, it is always open to him to approach the Court for appropriate direction. But, on the strength of the petitioner statement, the latter document cannot be altered by any direction from this Court, as such a procedure has not been contemplated under the relevant rules. The writ petition is misconceived. Hence, the writ petition will stand dismissed. No costs.

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