

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION NO.40491 OF 2015

ORDER

The grievance of the petitioner is that the District Collector, Hyderabad District, issued orders dated 27.10.2015 canceling the petitioner's Scheduled Tribe-Lingadhari Koya Caste Certificate. The cancellation was effected on the basis of a report submitted by the District Level Scrutiny Committee without even furnishing a copy thereof to him.

Learned Assistant Government Pleader for Social Welfare, having received instructions in the matter, conceded that the petitioner was not provided a copy of the said report and he was not given an opportunity of hearing to put forth his case before cancellation of his caste certificate.

In the light of the law laid down by this Court in ***K. SURAJ SINGH V/s. COLLECTOR AND DISTRICT MAGISTRATE, KADAPA***, the District Collector is required to furnish a copy of the report submitted by the District Level Scrutiny Committee and give an opportunity of hearing to the adversely affected person before taking further steps in the matter.

That being so, the impugned orders dated 27.10.2015 cannot be sustained being in violation of the procedure. The said order is accordingly set aside and the matter is remitted to the file of the District Collector, Hyderabad, for consideration afresh in accordance with the due procedure as laid down by this Court in the decision aforestated.

The writ petition is allowed to the extent indicated above. Pending miscellaneous petitions shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

28th DECEMBER, 2015

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