

**THE HON'BLE SRI JUSTICE A.V. SETHA SAI**

**WRIT PETITION No.17496 of 2012**

**ORDER:**

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:

*“to issue writ of Mandamus to declare the action of the respondents 1 and 2 in not issuing S.T., Certificate to the petitioners as illegal, arbitrary and consequently direct the respondents herein to issue S.T., Caste Certificate to the petitioners forthwith.”*

Heard Sri A. Ravi Shankar, learned counsel for the petitioners and learned Government Pleaders for Revenue and Tribal Welfare for respondents, apart from perusing the material available before this Court.

The case of the petitioners is that they belong to Bagata caste which is a Scheduled Tribe. Previously the Mandal Revenue Officer, Kotturu has issued Caste Certificates treating Bagata Caste community people as Schedule Tribe. The grievance of the petitioners herein is that despite the above situation the respondent authorities are not issuing Scheduled Tribe certificates in favour of the petitioners herein.

During the course of hearing, it is brought to the notice of this Court by the learned counsel for the petitioners that the District Collector, Srikakulam by way of letter in Rc.No.961/2010 C1, dated 05-05-2010 requested the Commissioner, Tribal Welfare, T.S. Bhavan, Masab Tank, Hyderabad to constitute a team to determine the ethnological features of the people who are claiming as Bagata in Balada village of Kotturu mandal, Srikakulam district and to decide whether the people who are

claiming as Bagata belong to S.T. community or not and a copy of the same is placed on record.

While referring to the above said letter, it is requested by the learned counsel for the petitioners to issue necessary direction to the Commissioner, Tribal Welfare to take action in terms of the above said letter by fixing some time frame. There is no objection expressed by learned Government Pleader to the said request.

In view of the above, the writ petition is disposed of, directing the Commissioner, Tribal Welfare, T.S. Bhavan, Masab Tank, Hyderabad to take action in pursuance of the letter addressed by the District Collector, Srikakulam vide Rc.No.961/2010 C1, dated 05-05-2010 within a period of four (4) months from the date of receipt of a copy of this order.

Miscellaneous Petitions pending, if any, shall stand closed. There shall be no order as to costs.

**A.V. SETHA SAI, J**

December 15, 2015

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