

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

WRIT PETITION NO. 23054 OF 2015

Between:

Kankanala Vinod

... Petitioner

V/s.

The State of Telangana
Rep. by its Prl. Secretary
Social Welfare Department
Secretariat, Hyderabad & Ors.

... Respondents

DATE OF JUDGMENT PRONOUNCED : 24/07/2015

SUBMITTED FOR APPROVAL

HONOURABLE SRI JUSTICE A.V. SETHA SAI

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| 1. Whether Reports of Local Newspapers
May be allowed to see the judgment ? | Yes/No |
| | |
| 2. Whether the copies of judgment may be
Marked to Law Reporters/Journals | Yes/No |
| | |
| 3. Whether his Lordship wish to see the fair
Copy of the judgment ? | Yes/No |

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH

FRIDAY THE TWENTYFOURTH DAY OF JULY
TWO THOUSAND AND FIFTEEN

PRESENT
HONOURABLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION NO. 23054 OF 2015

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Between:

Kankanala Vinod ... Petitioner

V/s.

The State of Telangana
Rep. by its Prl. Secretary
Social Welfare Department
Secretariat, Hyderabad & Ors. ... Respondents

Counsel for the Petitioners: Sri C. Naresh Reddy

Counsel for the Respondents: GP for Social Welfare [TG]
GP for Revenue [TG]

The Court made the following: [order follows]

HONOURABLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION NO. 23054 OF 2015

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ORDER:

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

To issue an appropriate writ, order or direction and more particularly, one in the nature of writ of mandamus, declaring the orders dated 01/07/2015 issued by Respondent No.3 as illegal, arbitrary, unconstitutional and contrary to the provisions of A.P. [SC, ST & BCs] Regulation of Issue of Community Certificates Act, 1993 and Rules, 1997.

To direct the Respondent No.3 to issue digital backward class community certificate to the petitioners as belonging to 'Gandla' community and to pass such other suitable orders as this court may deem fit and proper in the circumstances of the case.

2. Heard Sri C. Naresh Reddy, learned counsel for the petitioners, the learned Government Pleader for Social Welfare for Respondents 1 and 4 and the learned Government Pleader for Respondents 2 and 3.

3. It is submitted by the learned Government Pleaders that the petitioners herein belong to Reddy Gandla Community but not 'Gandla' and as such, they are not entitled for any relief from this Court. It is also submitted by the learned Government Pleader that the Government issued memo to the said effect.

4. It is submitted by the learned counsel for the petitioners

that the issue involved in the present writ petition is squarely covered by the orders of this Court in WP.No. 17508 of 2015, dated 06/07/2015 a copy of the same is placed on record along with the writ petition. In the case on hand also, the petitioners herein relies upon Community, Nativity and Date of Birth Certificates bearing Nos. C/577/2010 issued by the Tahsildar, Karimnagar district, in the year 2010.

5. In the circumstances, there shall be a similar direction as in the above writ petition, which is as follows :

“Since the Community, Nativity and Date of Birth Certificates issued by the Tahsildar, as mentioned above, are admittedly, still in force, the respondents, shall within two days from the date of receipt of a copy of this order, furnish the petitioners a digital copy of the said certificates. It is made clear that this order shall not preclude the respondents from initiating action under Section 5 of the Andhra Pradesh [SC, ST & BCs] Regulation of Issue of Community Certificates Act, 1993 for cancellation of the caste certificate in favour of the petitioners, if they are of the view that the said caste certificates are false.”

6. With the above direction, the writ petition is disposed of.

No costs.

7. As a sequel, miscellaneous petitions if any, pending in this writ petition shall stand closed.

JUSTICE A.V.SESHA SAI

24/07/2015
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HONOURABLE SRI JUSTICE A.V. SESA SAI

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WRIT PETITION NO. 23054 OF 2015

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Date:24/07/2015
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Court Master: I s L