

THE HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.27421 of 2015

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 in not considering the representation dated 1.6.2015 of the petitioner seeking amendment of caste in pursuance to the caste certificate issued by her Caste Sangham in the School Records either in affirmative or in negative even after lapse of more than 2 1/2 months as being illegal, arbitrary and is in clear violation of Articles 14 and 21 of the Constitution of India. and consequently direct the 2nd respondent to consider and dispose of the same forthwith and report compliance to this Honourable Court."

Heard Sri V. Brahmaiah Chowdary, learned counsel for the petitioner and learned Government Pleader for Education for respondents, apart from perusing the material available before this Court.

According to the petitioner, she studied classes 6th to 10th at Zilla Parishad High School, Manopad during the academic years 1999-2005. It is further pleaded that her caste was wrongly mentioned in the 3rd respondent school records as 'Kuruva' even though she belongs to 'Madasi Kuruva' community, which is a Scheduled Caste.

Earlier a representation was submitted to the Head Master of the 3rd respondent school on 24-04-2015 who gave an endorsement vide Lr.No.51/2014-15, dated 27-05-2015, asking the petitioner herein to make a representation to the higher authorities for redressal of her grievance. Subsequently, the petitioner herein

submitted a representation on 01-06-2015 to the District Educational Officer, Mahabubnagar District – 2nd respondent herein, requesting to issue necessary instructions for change of her caste name from B.C. to S.C. in the Transfer Certificate and the school records. It is the grievance of the petitioner herein that no action has been taken on the representation, dated 01-06-2015 till date.

On the contrary, it is pointed out by the learned Government Pleader for Education that along with the representation, dated 01-06-2015 petitioner herein did not enclose the copy of the Community and Date of birth certificate, dated 29-01-2015 said to have been issued by the Revenue Divisional Officer, Saroornagar.

In these circumstances, this Court deems it appropriate to dispose of the present writ petition by directing the petitioner herein to submit a representation afresh to the 2nd respondent herein by enclosing all necessary documents and by fixing some time limit for consideration of the said representation by the respondent authorities.

For the aforesaid reasons, the writ petition is disposed of, permitting the petitioner herein to submit representation to the District Education Officer, Mahabubnagar District - 2nd respondent for redressal of her grievance by duly enclosing all necessary documents within a period of one week from the date of receipt of a copy of this order. If any such representation is made within the time stipulated, the same be considered and appropriate action be taken by the District Education Officer, Mahabubnagar District - 2nd respondent herein within a period of one month thereafter.

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

A.V. SESA SAI, J

August 31, 2015

Note: Furnish C.C. in
one week. B/o.Pn

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