

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

WRIT PETITION No.29670 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 action of the 1st respondent in not passing any orders on the appeal and suspension petition filed by the petitioner against the orders passed by the 2nd respondent vide proceedings Rc.No.C3/1321/2013-32, dated 20.03.2015 even though the appeal was received by the 1st respondent on 29.04.2015 as illegal, arbitrary, abuse of process of law and is a clear case of violation of principles of natural justice and consequently direct the PI respondent to pass appropriate orders on the appeal filed by the petitioner in the interest of justice.”

Heard Sri S. Surender Reddy, learned counsel for the petitioner and learned Government Pleader for Social Welfare for the respondents, apart from perusing the material available before this Court.

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The District Collector, Adilabad District – 2nd respondent herein vide proceedings Rc.No.C3/1321/2013-32, dated 20-03-2015 cancelled the Local Agency Area Certificates issued by the Tahsildar, Jainoor vide proceedings Rc.No.D/2736/2006, dated 06-11-2006 in favour of the petitioner herein.

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Questioning the validity of the said proceedings issued by the 2nd respondent – District Collector, the petitioner herein preferred an appeal under Section 7 of the A.P. (SC, ST & BCs) Regulation of Community Certificates Act, 1993 before the State

Government - 1st respondent herein. Along with the said appeal, the petitioner herein also filed an application, seeking re-examination of the issue and for suspension of the proceedings of the District Collector, dated 20-03-2015.

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The grievance of the petitioner herein in the present writ petition is that though the petitioner herein filed the said appeal as long back as in the month of April, 2015 no orders have been passed by the 1st respondent herein and in view of the same, the petitioner herein is not in a position to get appointment orders for the post of Second Grade Teacher though he got selection.

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Taking into consideration the totality of the circumstances and having regard to the nature of controversy, this Court is of the considered opinion that the ends of justice would be met if the 1st respondent is directed to pass appropriate orders on the appeal, dated 29-04-2015 filed by the petitioner herein against the orders of the 2nd respondent herein, dated 20-03-2015 by fixing some time frame.

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For the aforesaid reasons, the writ petition is disposed of, directing the 1st respondent – State Government to pass appropriate orders on the appeal, dated 29-04-2015 filed by the petitioner herein against the orders of the District Collector vide proceedings Rc.No.C3/1321/2013-32, dated 20-03-2015, within a period of two (2) 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

September 16, 2015

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