

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

* * *

WRIT PETITION No. 32818 of 2015

BETWEEN

Archana Kamble and another

... PETITIONERS

AND

The State of Telangana, rep. by its Principal Secretary and others

...RESPONDENTS

Date of Order pronounced: 05.11.2015

THE HON'BLE SRI JUSTICE SANJAY KUMAR

1. Whether Reporters of Local newspapers Yes/No
may be allowed to see the Judgments?

2. Whether the copies of judgment may be Yes/No
marked to Law Reporters/Journals?

3. Whether his Lordship wish to see the Yes/No
fair copy of the Judgment?

ORDER:

The grievance of the petitioners is that the respondent authorities, having received their application dated 15.04.2015, have not issued them caste certificates. The petitioners claim to belong to Mahar Caste, which is stated to be a scheduled caste. They submitted that they were earlier issued community certificates while the erstwhile State of Andhra Pradesh was in existence. It appears that they submitted an application dated 15.04.2015 for issuance of fresh Caste Certificates in the light of the bifurcation of the State.

The Government of Telangana received the said application on 15.04.2015 as is evident from the Mee-seva receipt bearing the same date.

2. Learned Assistant Government Pleader for Social Welfare admits that the petitioners' application has been received and is pending consideration. She would assert that the petitioners are ineligible for being issued the Caste Certificate.

3. However it is premature at this stage for this court to consider the said issue. It is for the authorities concerned to apply their mind in the light of the relevant Rules and take a decision upon the petitioners' application dated 15.04.2015. It is not open to such authorities to sleep over the matter and not decide one way or the other as to the entitlement of the petitioners to be given such certification.

4. The writ petition is accordingly disposed of directing the third respondent, the Revenue Divisional Officer, Hyderabad District, State of Telangana to consider the petitioners' application dated 15.04.2015 and take appropriate action in the matter thereon in accordance with law. In the event the petitioners' request for issuance of a caste certificate is rejected, a detailed order shall be passed recording the reasons therefor and the same shall be communicated to the petitioners. This exercise shall be completed expeditiously and in any event, not later than four weeks from the date of receipt of a copy of this order.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

November 5, 2015

Lmv