

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

Writ Petition No.17560 of 2015

ORDER:

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; more particularly one in the nature of Writ of Mandamus declaring:

- i) the order dated 11.06.2015 issued by respondent No.3 as illegal, arbitrary, unconstitutional and contrary to the provisions of Andhra Pradesh (SC, ST & BCs) Regulation of Issue of Community Certificates Act, 1993 and Rules, 1997.
- ii) direct the 3rd respondent to issue Digital backward class Community Certificate to the petitioner as belonging to “Gandla” Community and pass such other order or orders as this Hon’ble Court deemed fit and proper in the circumstances of the case.”

Heard Sri C. Naresh Reddy, learned counsel for the petitioner and the learned Government Pleader for Social Welfare appearing for the respondents.

When the matter is taken up for hearing, it is submitted by the learned counsel for the petitioner that the issue involved in the present writ petition is squarely covered by the orders of this Court in Writ Petition No.23764 of 2013 dated 21.08.2013 and a copy of the same is placed on record along with the writ petition. In the case on hand also, the petitioner herein relies upon Community, Nativity and Date of Birth Certificate bearing No.C/495/2010, dated 15.08.2010 issued by the Tahsildar, Kataram Mandal, Karimnagar District.

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 Certificate

issued by the Tahsildar, as mentioned above, is, admittedly, still in force, the respondents, shall within two days from the date of receipt of a copy of this order, furnish the petitioner a digital copy of the said certificate. 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 petitioner, if they are of the view that the said caste certificate is false.”

With the above direction, the writ petition is disposed of. However, there shall be no order as to costs. The Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

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A.V. SESA SAI, J

Date: 18.06.2015
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