

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION NO.11141 of 2015

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Between:

K. Vani Sailaja

PETITIONER

AND

1. The State of Andhra Pradesh, rep. by its Principal Secretary, B.C. Welfare Department, A.P. Secretariat Buildings, Hyderabad, and others.

RESPONDENTS

ORDER:

The case of the petitioner is that she belongs to BC-A community. She applied for Language Pandit (Hindi) post, appeared for written examination and got 64.03 marks in total. The 2nd respondent, who belonged to "Gounder" community, fraudulently obtained BC-A certificate from the Tahsildar, Palamaneru on 06.10.2008 and again on 01.12.2012 claiming that he belongs to "Vanyakula Kshatria" (BC-A) community, and by producing the said false caste certificate he obtained appointment as Language Pandit (Hindi) post under BC-A (General) quota.

On coming to know the same, the petitioner made a complaint on 31.12.2012 to the 3rd respondent-District Collector, who after following the procedure prescribed, cancelled the caste certificate of the 2nd respondent through proceedings dated 27.06.2014. Aggrieved by the same, the 2nd respondent filed appeal on 19.07.2004 before the 1st respondent. As no orders are passed on the appeal, the 2nd respondent filed W.P.No.28050 of 2014, which was disposed of by this Court on 19.09.2014 directing the 1st respondent to dispose of the appeal within a period of two months and till such time the petitioner shall not be terminated from service. Pending the appeal, the petitioner filed O.A.No.4229 of 2014 before the A.P. Administrative Tribunal to take action against the official respondents and the same is still pending. The main grievance of the petitioner is that though the caste certificate granted in favour of the 2nd respondent has been found to be false and he is not eligible to claim reservation as BC-A candidate, on account of the inaction on the part of the 1st respondent, the 2nd respondent still continued to enjoy the benefits of the reservation. Hence she filed the present writ petition.

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Social Welfare (A.P) for respondents.

Admittedly this Court on earlier occasion disposed of the writ petition filed by the 2nd respondent herein directing the 1st respondent to dispose of the appeal within a period of two months. Obviously as of now no orders have been passed by the 1st respondent.

Considering the fact that the petitioner did not sensitize the 1st respondent about the orders passed by this Court and his responsibility to implement the order, liberty is given to the petitioner to approach the 1st respondent informing the order of this Court as well as the duty cast on him to pass necessary orders. As and when the petitioner approaches the 1st respondent, he shall act upon his request as expeditiously as possible.

With the above observations, the writ petition is disposed of. No costs. As a sequel, miscellaneous petitions, if any, shall stand closed.

CHALLA KODANDA RAM, J.

17th April, 2015

Js.