

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

-
WRIT PETITION No.30969 OF 2015
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ORDER:

This writ petition is filed under Article 226 of the Constitution of India for the following relief:

“to issue a Writ, Order or direction more in the nature of Mandamus to declare the action of the respondents in not issuing Community Certificate as SC-Mala to the petitioner after enquiry under the AP (SC, ST 86 BCs) Regulation of Issue of Community Certificates Act, 1993 and Rules 1997 as illegal, arbitrary, discriminatory and violative of the AP (SC, ST 86 BCs) Regulation of Issue of Community Certificates Act, 1993 and Rules 1997 and Articles 14, 15, 16 and 21 of the Constitution of India and consequently direct the respondents to issue Community Certificate as SC-Mala to the petitioner forthwith by disposing of the appeal pending before respondent No.2.”

2. Heard Sri Punna Rao, learned counsel for the petitioner and learned Government Pleader for Social Welfare for the respondents.

3. The Tahsildar, Ghatkesar mandal – 3rd respondent herein issued an endorsement, dated 02-08-2014 rejecting the request of the petitioner herein for issuance of Scheduled Caste certificate. As against the said endorsement, dated 02-08-2014 the petitioner herein filed an appeal under Section 7 (1) of the Andhra Pradesh (SC, ST & BCs) Regulation of Issue of Community Certificates Act, 1993.

4. According to the learned counsel for the petitioner though the petitioner herein filed the said statutory appeal as long back as on 08-12-2014 no orders have been passed by the 2nd respondent – appellate authority and in view of the pendency of the same, the

petitioner herein is losing the academic years and is suffering a lot.

5. Taking into consideration the facts and circumstances of the case and having regard to the nature of controversy, this Court is of the considered opinion that ends of justice would be met if a direction is issued to the 2nd respondent – appellate authority to dispose of the appeal, dated 08-12-2014 by fixing some time frame.

6. For the aforesaid reasons, the writ petition is disposed of, directing the District Collector-cum-Appellate Authority, Ranga Reddy District – 2nd respondent herein to pass appropriate orders on the appeal, dated 08-12-2014 filed by the petitioner herein against the orders of the Tahsildar, Ghatkesar mandal – 3rd respondent herein, dated 02-08-2014 after giving notice and opportunity of being heard to the petitioner herein within a period of two (2) months from the date of receipt of a copy of this order.

7. Miscellaneous petitions pending consideration, if any, in the Writ Petition shall stand closed in consequence. No order as to costs.

A.V.SESHA SAI, J

September 22, 2015

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