

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1881 of 2016

1. Sujata Meshram D/o Anil Kumar Meshram, Aged About 31 Years
2. Vaishali Meshram, D/o Anil Kumar Meshram, Aged About 28 Years
3. Sarita Meshram, D/o Anil Kumar Meshram, Aged About 26 Years
4. Amrapali Meshram, D/o Anil Kumar Meshram, Aged About 24 Years

All the petitioners are Resident of Gudhiyari, Police Station
Gudhiyari, District Raipur, (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, Department Of Tribal And Scheduled Caste Welfare, Mahanadi Bhawan, Naya Raipur, (Chhattisgarh)
2. High Power Certificate Scrutiny Committee, Through Its Chairman, Tribal Research And Training Institute, Deendayal Upadhyay Nagar, District Raipur, (Chhattisgarh)
3. Director, Public Education (Sikshan), Bairon Bazar, District Raipur, (Chhattisgarh)
4. District Education Officer, Raipur, Bairan Bazar, District Raipur, (Chhattisgarh)

---- Respondent

For Petitioners	Mr. R.K. Bhagat, Advocate
For Respondent /State	Mr. Ramakant Mishra, Dy. AG

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board

27/7/2016

1. Heard.
2. The petitioners are seeking a direction to the competent authority to correct their caste in all the certificates like Dakhil Kharij register, educational qualification certificates etc.

3. According to the petitioners, they belong to "*Mahar*" Scheduled Caste community, whereas, in all the documents, their caste is mentioned as "*Boudh*".
4. In view of the law laid down by the Supreme Court in the matter of **Ku. Madhuri Patil and another Vs. Addl. Commissioner, Tribal Development and others, 1994 6 SCC 241**, the petitioners are required to obtain caste certificate from the competent authority or if they already possess the caste certificate, to get it verified from the High Power Caste Scrutiny Committee.
5. Neither a Civil Suit nor a petition directly filed before this Court under Article 226 of the Constitution of India, is maintainable for issuance of direction to any authority other than the authority competent to pass such order in relation to declaration of caste status.
6. Accordingly, the writ petition is dismissed reserving liberty in favour of the petitioners to approach the competent authority for issuance of caste certificate under the Chhattisgarh Scheduled Castes, Scheduled Tribes and Other Backward Classes (Regulation of Social Status Certification) Act, 2013 or for getting the caste certificate verified from the High Power Caste Scrutiny Committee, if any of the petitioners already have the caste certificate.

Sd/-

Judge

(Prashant Kumar Mishra)

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