

THE HON'BLE SRI JUSTICE S.V.BHATT

W.P.No.40317 of 2012

ORDER:

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Heard Mr.S.Tulasi Das for petitioner.

The petitioner challenges the declaration of social status of petitioner as illegal, arbitrary and contrary to the provisions of the Andhra Pradesh (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act, 1993 (for short 'the Act').

Heard the Assistant Government Pleader for Revenue and the Assistant Government Pleader for Social Welfare.

The Assistant Government Pleaders, after perusing the impugned Certificate, submit that the Tahsildar cannot and could not have made a declaration impugned in the writ petition. Further, if there is an issue about the social status of any person, including the petitioner or his children, the same has to be examined in accordance with the provisions of the Act and appropriate orders are passed, after affording opportunity to parties.

Hence, I am satisfied that the writ petition can be ordered by setting aside Communication No.E/Caste Certificate/2012, dated 22-11-2012. However, liberty is granted to authorities to proceed, if there is any variance in the status claimed by the petitioner and actually enjoyed by him.

The writ petition is ordered accordingly. No order as to costs.

Miscellaneous petitions, if any, pending shall stand closed.

S. V. BHATT, J

Dt: 24-08-2016
Prv

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.40317 of 2012

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24-08-2016

Prv

