

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.40384 of 2015

ORDER:

This writ petition under Article 226 of Constitution of India is filed to declare the impugned endorsement of the 3rd respondent by having rejected and not issuing the petitioner's caste certificates by mentioning as "Madasi Kuruva" by the 3rd respondent as illegal and arbitrary.

When the matter is posted for hearing, it is informed by the learned Government Pleader for Social Welfare representing respondents 1 to 4 that the petitioner already preferred an appeal before the 2nd respondent against the impugned order, dated 13.05.2015, passed by the 3rd respondent and the same is pending before the 2nd respondent and hence, the present writ petition is not maintainable in view of the filing of the appeal by the petitioner, which is pending before the 2nd respondent for disposal.

Considering the said submissions, this Court is of the view that the present writ petition is premature in nature since the petitioner has already approached the competent authority and filed an appeal. Hence, this Court is not inclined to consider the writ petition at this stage.

Accordingly, the Writ Petition is disposed of directing the 2nd respondent to consider the appeal preferred by the petitioner and dispose of the same, as expeditiously as possible, in accordance with law and as per the provisions of the A.P. (SC, ST and BCs) Regulation of Issue of Community Certificates Act, 1993 and Rules, 1997. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

RAJA ELANGO,J

Date: 27th October, 2016
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