

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No.37796 of 2015

O R D E R:

Heard counsel for the petitioner and the Government Pleader for Social Welfare appearing for respondents.

2. Petitioner had applied for SC Caste Certificate to the 3rd respondent on 28.04.2015, but the same was rejected by endorsement dt.04.09.2015 stating "rejected as not recommended by Tahsildar".

3. Counsel for the petitioner contends that the endorsement dt.04.09.2015 issued by the 3rd respondent states that the report of the 4th respondent was submitted on 02.09.2015 to the 3rd respondent but the copy of the said report has not been made available to the petitioner. He also contends that there could not have been any report of the 4th respondent dt.02.09.2015 since the Mandal Revenue Inspector, who is alleged to have conducted enquiry on behalf of the 4th respondent himself submitted a report on 05.09.2015 to the 4th respondent.

4. *Prima facie*, I find force in the contention of the counsel for petitioner.

5. The Government Pleader for Social Welfare appearing for respondents states that he is agreeable for the matter to be remanded to the 3rd respondent for a fresh enquiry by

respondents 3 and 4 with regard to the issuance of Caste Certificate to the petitioner.

6. Since the impugned endorsement dt.04.09.2015 is cryptic and since the report of the Tahsildar dt.02.09.2015 is itself *prima facie* doubtful and in any event it has not been supplied to the petitioner, the impugned endorsement dt.04.09.2015 of the 3rd respondent is set aside and the matter is remitted back to the 3rd respondent to reconsider the issue after complying with the principles of natural justice including furnishing of report, if any, of the 4th respondent as well as the Mandal Revenue Inspector. After conducting such enquiry, a reasoned order shall be passed by the 3rd respondent which shall be communicated to the petitioner. This exercise shall be completed within a period of eight (08) weeks from the date of receipt of a copy of this order.

7. Accordingly, the Writ Petition is allowed. There shall be no order as to costs.

8. Consequently, miscellaneous petitions pending, if any, shall stand dismissed.

M.S.RAMACHANDRA RAO, J

16th September, 2016
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