

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.42032 OF 2015

ORDER

The prayer of the petitioners in this case is as under:

“For the reasons stated in the accompanying affidavit, the petitioner prays that the Hon'ble Court may be pleased to pass an appropriate writ, order or direction more particularly in the nature of writ of Mandamus by declaring:

(1) The two orders with same dated

06-10-2015 issued by the respondent No.3 as illegal, arbitrary, unconstitutional and contrary to the provisions of Andhra Pradesh (SC, ST & BCs) Regulation of Issue of Community Certificates Act, 1993 and Rules, 1997, (ii)

Direct the 3rd Respondent to issue Digital Backward Class Community Certificate to the Petitioner No.1 and Petitioner No.2 as belonging to “Gandla” Community and pass such other order or orders as this Hon'ble Court deems fit and proper in the circumstances of the case.”

Heard Sri Doodala Vishnu, learned counsel for the petitioners, and the learned Government Pleader for Social Welfare.

Learned counsel for the petitioners states that the issue raised in the present writ petition is squarely covered by the order of this Court in W.P.No.23764 of 2013 dated 21.08.2013. A copy of the same is placed on record. Presently, the first petitioner relies upon the Community, Nativity and Date of Birth Certificates dated 27.05.2003 issued by the Mandal Revenue Officer, Ramagundam. Though it is stated in the writ affidavit that the second petitioner was also issued a similar certificate, it is not filed. However, the Transfer Certificate issued to him states that he also belongs to Gandla Community.

In the circumstances, there shall be a similar direction as in the above writ petition:

As the Certificates issued to the petitioners are stated to be still in force, the respondents shall, within two days from the date of receipt of a

copy of this order, furnish the petitioners digital copies of the said certificates. It is made clear that this order will not preclude the respondents from initiating action under Section 5 of the Andhra Pradesh (SC, ST & BCs) Regulation of Issue of Community Certificates Act, 1993, for cancellation of the caste certificates issued earlier in favour of the petitioners, if warranted.

With the above directions, the writ petition is disposed of. Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

1st February, 2016
PGS