

HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.14631 of 2009

ORDER:

This Writ Petition is filed, under Article 226 of the Constitution of India, for a direction to the respondents to issue provisional admission in Agricultural and Medicine course to the petitioner as per Rule 19 of the Andhra Pradesh (Scheduled Castes, Scheduled Tribes and Backward Classes) Issue of Community, Nativity and Date of Birth Certificates Rules, 1997.

Heard Sri G.Tuhin Kumar, learned counsel for the petitioner, Sri Taddi Nageswara Rao, learned standing counsel for the first respondent – University and learned Government Pleader for Social Welfare for the second respondent.

According to the petitioner, she belongs to the scheduled tribe community i.e. Benthoriya. She appeared for Eamcet-2009 with hall ticket bearing No.6101174 and secured rank No.10659. It is further stated that the petitioner made an application before the second respondent on 13.05.2009 for issuance of scheduled tribe caste certificate. With a complaint that the second respondent did not respond on the said application,

and for a direction to the respondents to grant provisional admission, the present Writ Petition came to be filed.

This Court, while ordering rule nisi on 22.07.2009, granted interim order in WPMP.No.19186 of 2009, directing the respondents to grant provisional admission to the petitioner subject to the condition that she would give an undertaking that the admission be liable to be cancelled in the event of the competent authority deciding that she does not belong to the scheduled tribe. It is brought to the notice of this Court by the learned counsel for the petitioner that, in terms of the interim orders, the respondents herein granted provisional admission to the petitioner and she also completed the course.

No counter is filed, opposing the Writ Petition.

Having regard to the nature of the controversy, and taking into consideration the submissions of the learned counsel for the petitioner, learned standing counsel for the first respondent – University and the learned Government Pleader for Social Welfare for the second respondent, and as the petitioner herein already completed her course and since the interim order is also in the direction of protecting the respondents, this Court deem it appropriate to dispose of the Writ Petition keeping it open to the respondents to

proceed, in accordance with law, as to the caste status of the petitioner.

Miscellaneous Petitions pending, if any, shall also stand disposed of. There shall be no order as to costs.

A.V.SESHA SAI,J

Date: 27.12.2016
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