

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 17479 of 2016

Order:

The petitioner states that he belongs to 'Lingadhaari Koya' a Scheduled Tribe community. He hails from Ankusham village, Bellampalli Mandal of Adilabad District. He was appointed as an Agricultural Officer under direct recruitment on 03.01.2003. When the Commissioner for Tribal Welfare Department, Andhra Pradesh, Hyderabad, issued proceedings on 02.01.2003 stating that he does not belong to Lingadhaari Koya community, he challenged the same in OA No.532 of 2003 before the Andhra Pradesh Administrative Tribunal, which passed an order on 22.11.2005 disposing of the said application with a direction to take further action against the petitioner only after determination of the matter by the District Level Scrutiny Committee in pursuance of the notice dated 05.03.2005 issued in that regard. When the District Lingadhaari Koya Tribal Association filed WP No.22511 of 2007 challenging the proceedings of the Director, Tribal Welfare Department, Government of Andhra Pradesh, dated 19.04.2007, treating them as not belonging to Lingadhaari Koya community, this Court allowed the said Writ Petition on 12.07.2009, in pursuance of which several community people were given caste certificates.

2. In respect of the petitioner, when proceedings were issued on 31.05.2014 cancelling the caste certificate of the petitioner, he preferred an appeal before the first respondent. In the said appeal he filed an application on 07.05.2016 for granting order of stay of the orders dated 31.05.2014 passed by the second respondent and when the same was not disposed of, the present Writ Petition is filed.

3. Since the relief sought for in the present Writ Petition is for the limited purpose of disposal of the stay application dated 07.05.2016 in the pending appeal preferred by the petitioner against the order

passed by the second respondent dated 31.05.2014, this Court sees no reason to keep the Writ Petition pending and disposes of the present Writ Petition with a direction to the first respondent to consider the stay application of the petitioner in the pending appeal filed challenging the proceedings of the second respondent dated 31.05.2014 and pass appropriate orders thereon in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

4. The Writ Petition is, accordingly, disposed of. There shall be no order as to costs.

5. As a sequel thereto, the miscellaneous applications, if any, pending in this Writ Petition shall stand closed.

A.
Date: 14.06.2016
Nsr

RAMALINGESWARA RAO, J