

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH

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HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
HON'BLE SRI JUSTICE P. NAVEEN RAO

-
WRIT APPEAL No. 436 of 2016

Date: 14.06.2016

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Between:

The State of A.P., rep., by its Principal Secretary,
Tribal Welfare Department,
Hyderabad & others.

... Appellants

And

Vetti Tejaswi

... Respondent

**HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
HON'BLE SRI JUSTICE P. NAVEEN RAO**

WRIT APEPAL No. 436 of 2016

PC: (per the Hon'ble the Acting Chief Justice Dilip B. Bhosale)

Heard learned counsel for the appellants and Sri P.R.K. Amerandra Kumar for the respondent.

This appeal is directed against the order, dated 13.04.2016, whereby the respondent's writ petition has been allowed and the 3rd appellant is directed to issue a Local Area Certificate to the writ petitioner within time frame.

Challenge to the order is solely on the basis of endorsement, dated 13.05.2016, wherein it is stated that the writ petitioner's father is non-tribe and though her mother belongs to tribe, presently she is residing at Kannapuram Village of Koyyalagudem Mandal, which is a non-agency area. It is not clear on what basis such findings are recorded. On the other hand, our attention was invited to the certificate issued by the same Tahsildar, dated 22.08.2015. The Certificate is titled as "Community, Nativity and Date of Birth Certificate". This supports the writ petitioner's case. Moreover, writ petitioner has also placed on record a residence certificate, dated 26.12.2014. In view thereof, learned Judge has rightly observed that it is not open to the 3rd appellant to pass the impugned order. We are, therefore, not inclined to interfere with the same.

Hence, the writ appeal is dismissed.

Miscellaneous petitions, if any, shall also stand dismissed.

DILIP B.BHOSALE, ACJ

P. NAVEEN RAO, J

Date: 14.06.2016

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