

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.37599 OF 2016

ORDER:

This writ petition is filed seeking to issue a writ or order more particularly, one in the nature of writ of *mandamus* to declare the order passed by respondent No.1 in Rc.No.B/Memo/2016, dated 13.10.2016, for rejecting issuance of latest community certificate "NAYAKA" in spite of existence of three earlier certificates issued by the competent authorities i.e., Mandal Revenue Officer, Charla on 21.6.1989, May, 1995 and 3.10.1997 as illegal, arbitrary and violation of the provisions of the Andhra Pradesh (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act, 1993 (for short, "the Act") and the Andhra Pradesh (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community, Nativity and Date of Birth Certificates Rules, 1997 and consequently, to direct respondent No.1 to issue Community Certificate based on the earlier certificates.

2. The main grievance of the petitioner in this writ petition is *vide* impugned order, respondent No.1 rejected his prayer for issuance of caste certificate without issuing any notice for attending before him or without giving him an opportunity of complying any objections.

3. Heard and perused the records.

4. In the impugned order, it is stated that the application filed by the petitioner for issuance of caste certificate was refused on the ground that the petitioner has not annexed the required

documents. Considering all the facts and circumstances of the case, the petitioner is directed to make a fresh representation to respondent No.1 by annexing all the required documents and material to substantiate his claim and on such representation, respondent No.1 shall pass orders after hearing the petitioner.

5. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

6. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

16.11.2016
AMD



JUSTICE RAJA ELANGO

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Date: 16.11.2016

AMD