

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

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Writ Petition No.42783 of 2015

Date:31.3.2016

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Between:

Andhra Pradesh Scheduled Tribes Employees Welfare Association,
Hyderabad.

.....Petitioner

And

The Registrar (Recruitment)
High Court of Judicature at Hyderabad,
For the State of Telangana and the State of Andhra Pradesh,
Hyderabad and others.

... Respondents

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

Writ Petition No.42783 of 2015

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

Yesterday, we disposed of Writ Petition No. 9740 of 2016, wherein similar prayer was made, as made in the instant writ petition, against the very same respondents. The order in W.P. No. 9740 of 2016 reads thus:

“Mr. J. Satya Prasad, learned counsel for the petitioners does not press the writ petition at this stage and seeks liberty to the petitioners to approach the competent authority under Section 5 of the Andhra Pradesh (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act, 1993 (for short ‘the Act’) for seeking appropriate declaration and/or cancellation of Community/Caste Certificate issued in favour of respondent Nos. 4 and 5. He further submits that if the petitioners succeed before the competent authority in establishing that respondent Nos. 4 and 5 do not belong to Scheduled Tribe, as claimed by them, the petitioners may be given liberty to file fresh petition for appropriate remedy.

The writ petition is disposed of as not pressed with liberty as prayed. It is open to the petitioners to approach this Court afresh, if they succeed before the competent authority in establishing that respondent Nos. 4 and 5 do not belong to Scheduled Tribe. It is needless to mention that if the petitioners approach the competent authority, as aforementioned, under Section 5 of the Act, the

competent authority shall deal with their application only after issuing notice and giving an opportunity of being heard to respondent Nos. 4 and 5. All contentions on merits are kept open.

Consequently, pending miscellaneous applications shall also stand closed.”

In view thereof, this writ petition also is disposed of in terms of the said order.

Consequently, pending miscellaneous applications shall also stand closed.

DILIP B. BHOSALE, ACJ

P. NAVEEN RAO, J

31st March, 2016

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