

**THE HON'BLE SRI JUSTICE SANJAY KUMAR**

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**WRIT PETITION No.1675 of 2016**

**ORDER:**

Sri Kuna Reddy Anji Reddy, learned counsel for the petitioner, states that the issue arising in this writ petition is squarely covered by the decision rendered by this Court in W.P.No.17508 of 2015.

The prayer of the petitioner in this case is as under:

All the reasons stated accompanying affidavit the petitioner herein prays that this Hon'ble Court may be pleased to issue a Writ or Direction more particularly in the nature of Writ of mandamus declaring the illegal action of the respondents not issuing community - BC Certificate and rejecting on the ground of a memo No.2976 C2 2010 dated 1-10-2010 to my son Bandam Arunkumar is illegal arbitrary and violation of G.O.Ms.No.1793 Education dated 23-09-1970 as amended time to time and violation of Article 14 19 and 21 of Indian Constitution and consequently direct the 2<sup>nd</sup> respondent to issue community - BC - B Certificate (Gandla) to the petitioners son Bandam Arunkumar by setting aside the rejection order dated 15-05-2015 and pass such order or orders which ever this Hon'ble Court may deem fit and proper."

Perusal of the order dated 06.07.2015 passed by this Court in W.P.No.17508 of 2015 reflects that the prayer therein was also on similar lines. In terms of the earlier decision of this Court in W.P.No.17560 of 2015, the learned Judge granted relief to the petitioners therein. The Community, Nativity and Date of Birth certificate issued to the petitioner's son in August, 2010 clearly mentions that he belongs to "Gandla" Community, a backward caste.

In that view of the matter, the writ petition is disposed of on the same lines as W.P.No.17508 of 2015 with the following direction:

Since the Community, Nativity and Date of Birth

Certificate issued by the Tahsildar, Kataram, is admittedly still in force, the respondents shall, within two days from the date of receipt of a copy of this order, furnish the petitioner's son a digital copy of the said certificate. It is made clear that this order shall not preclude the respondents from initiating action under Section 5 of the Andhra Pradesh (SC, ST & BCs) Regulation of Issue of Community Certificates Act, 1993, for cancellation of the caste certificate of the petitioner's son, if otherwise warranted.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

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**JUSTICE SANJAY KUMAR**

Date: 20.04.2016

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