

**THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO**

**WRIPT PETITION No.18834 of 2016**

**ORDER :**

Heard the learned counsel for petitioner and the learned Government Pleader for Social Welfare appearing for respondents.

2. Petitioner has applied for issuance of Perika Baliya caste certificate through her father to the 3<sup>rd</sup> respondent since her father is a resident of Palamaner Mandal and is employed as a School Assistant. The said community comes within B.C.-B category.

3. The 3<sup>rd</sup> respondent has however returned the said application on the ground that there is no Perika Baliya caste existing in Palamaner and the petitioner should approach the Tahsildar, Piler since the petitioner is a native of Piler.

4. Learned counsel for petitioner states that petitioner's family settled in Palamaner Town and there is ample material to hold that the petitioner belongs to the said community. He stated that petitioner's father is employed as a Government Teacher on the basis of Perika Baliya caste certificate issued to him, and that although petitioner's family long back migrated from Piler, they have no roots there at present and they cannot be compelled to approach the Tahsildar, Piler for issuance of B.C.-B caste certificate.

5. Learned Government Pleader for Social Welfare, on instructions, states that the petitioner should approach the Tahsildar, Piler only and that the impugned order is correct.

6. Since petitioner's family is settled in Palamaner and her father is employed there, petitioner cannot be compelled to approach the Tahsildar, Piler for obtaining Perika Baliya B.C.-B caste certificate. In the impugned endorsement, 3<sup>rd</sup> respondent states that there is no Perika Baliya caste existing in Palamaner Mandal. Even if that is so, the 3<sup>rd</sup> respondent has to conduct an enquiry and consider the material produced by petitioner in support of her claim that she belongs to the said community and he can also cause an enquiry to be made through the Tahsildar, Piler as to the antecedents of petitioner's family.

7. Therefore the impugned endorsement is set aside and the 3<sup>rd</sup> respondent is directed to reconsider the issue and after going through the material produced by petitioner, pass a reasoned order in accordance with law and communicate the same to the petitioner. This exercise shall be completed within four (04) weeks from the date of receipt of a copy of this order.

8. The Writ Petition is allowed as above. No costs.

9. As a sequel, miscellaneous petitions pending if any in this Writ Petition, shall stand closed.

**JUSTICE M.S.RAMACHANDRA RAO**

Date: 18-08-2016

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