

**THE HON’BLE SRI JUSTICE C.V.NAGARJUNA
REDDY**

**AND
THE HON’BLE SRI JUSTICE M.S.K.JAISWAL**

WRIT PETITION No.9107 of 2016

**-
01.04.2016**

Between:

Majji Joginder ..Petitioner

And

The District Collector, Srikakulam, and others
..Respondents

Counsel for the petitioner: Mr.B.Sudhakar Reddy

Counsel for the respondents: Government Pleader for Services (AP)

The Court made the following:

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ORDER: (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

The applicant in O.A.No.2273 of 2014 filed this writ petition feeling aggrieved by the order, dated 17.11.2015, passed therein by the Andhra Pradesh Administrative Tribunal, Hyderabad (for short 'the Tribunal') – respondent No.5.

2. The petitioner claims that respondent No.1 informed him, *vide* proceedings, dated 06.04.2013, that he must attend verification programme on 15.04.2013, for verification of the original certificates in connection with the selection in Group IV service examination conducted on 11.08.2012. That he, accordingly, attended the verification programme and submitted all his original certificates including the caste certificate as a scheduled tribe (ST) candidate. It is his further case that though he was allotted to Treasury Department, appointment orders were not issued. Therefore, he filed the aforementioned O.A. for a direction to the respondents to issue posting/allotment orders to him in the category of Junior Accountants in Treasuries and Accounts Subordinate Service and Junior Assistants in APMS under Group IV service.

3. The respondents filed a counter-affidavit before the Tribunal. After considering the same, the Tribunal, by the impugned order, has disposed of the aforesaid O.A. directing respondent No.1 to conduct a detailed enquiry regarding the caste status of the petitioner and pass appropriate orders within a period of three months from the date of receipt of a copy of the said order and that based on the said decision, the said respondent shall consider the case of the petitioner for appointment, on merits, as per the Rules.

4. After hearing Mr.B.Sudhakar Reddy, learned counsel for the

petitioner, we do not find any reason to interfere with the order of the Tribunal, for the petitioner is claiming appointment based on his status as an ST candidate. Having regard to the fact that this claim of the petitioner is under dispute, the Tribunal has rightly directed respondent No.1 to hold an enquiry and determine the caste status of the petitioner. Therefore, the petitioner has no reason to feel aggrieved by the order of the Tribunal.

5. The learned Government Pleader for Services (AP) appearing for the respondents has submitted that the preliminary enquiry report was submitted by respondent No.2 to respondent No.1 and that a full-fledged enquiry will be conducted by respondent No.1 under the provisions of the Andhra Pradesh (Schedule Castes, Schedule Tribes & Backward Classes) Regulation of Issue of Community Certificate Rules, 1997, and an appropriate decision will be taken as directed by the Tribunal within a period of one month.

6. Placing on record, the above submissions of the learned Government Pleader, the Writ Petition is disposed of.

7. As a sequel to disposal of the writ petition, W.P.M.P.No.11553 of 2016 filed by the petitioner for interim relief shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

M.S.K.JAISWAL, J

01st April, 2016
GHN