

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WP.No.25265 of 2016

ORDER :

Heard the counsel for petitioner, the learned Government Pleader for Social Welfare (Telangana) for respondent nos.1 and 4, and the learned Government Pleader for Revenue (Telangana) for respondent nos.2 and 3.

2. With consent of the counsel appearing for both sides, the Writ Petition is disposed of at the stage of admission.

3. The present Writ Petition came to be filed with the following prayer :

“(i) the order dt.15.07.2016 issued by 3rd respondent as illegal, arbitrary, unconstitutional and contrary to the provisions of the Andhra Pradesh (SC, ST & BCs) Regulation of Issue of Community Certificates Act, 1993 and Rules, 1997;

(ii) direct the 3rd respondent to issue Digital Backward Class Community Certificate to petitioner as belonging to “Gandla” Community and pass such other order or orders as this Honourable Court deemed fit and proper in the circumstances of the case.”

4. On perusal of the order dt.06.07.2015 passed by

this Court in WP.No.17508 of 2015 reflects that the prayer therein was also on similar lines. In terms of the earlier decision of this Court in WP.No.17560 of 2015, the learned single Judge granted relief to petitioners therein.

5. The Community, Nativity and Date of Birth Certificate issued to petitioner herein clearly mentions that he belongs to “Gandla” Community, a Backward Caste.

6. In view of the above, the Writ Petition is disposed of on the same lines as in W.P.No.17508 of 2015 with the following direction.

7. Since the Community, Nativity and Date of Birth Certificate issued by the Tahsildar, Kataram Mandal, Karimnagar District, is admittedly still in force, the respondents shall within two (02) days from the date of receipt of a copy of this order, furnish the petitioner a digital copy of the said certificate.

8. 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 petitioner, if otherwise warranted. No order as to costs.

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

JUSTICE M.S.RAMACHANDRA RAO

Date: 02-08-2016

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