

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.39585 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking a declare the action of the 2nd respondent in not passing orders cancelling the caste certificate issued to the 6th respondent and not issuing notification to that effect, to be published in the District Gazette inspite of the enquiry report of the 3rd respondent, as illegal and arbitrary, and consequently, direct the 2nd respondent to pass orders cancelling the caste certificate issued to the 6th respondent.

Heard and perused the material available on record.

The main grievance of the petitioner is that she made an objection petition on 15.03.2014 before the 4th respondent with regard to the false community certificate submitted by the 6th respondent along with the nomination form, during Municipal Elections. Though the competent authority i.e. the 3rd respondent decided the issue on the basis of the representation made by the petitioner and forwarded the same on 30.07.2015 to the 2nd respondent for necessary orders, the 2nd respondent, even though duty bound to dispose of the same within a period of 30 days, till date, has not passed any orders. Hence, the present writ petition.

Considering the facts and circumstances of the case and the grievance of the petitioner, without going into the merits, the 2nd respondent is directed to pass orders on the basis of the report submitted by the 3rd respondent as expeditiously as possible, more preferably, within a period of three (3) months from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of. No costs. Pending
Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO, J

November 17, 2016.
KTL

