

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 17978 of 2016

ORDER:

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

The present writ petition came to be filed seeking issuance of writ of mandamus declaring the Enquiry proceedings No.C1/4220/2015 on the file of 2nd and 3rd respondent as arbitrary, illegal and contrary to the provisions of Andhra Pradesh (SC, ST and BCs) Regulation of Issue of Community Certificates Act, 1993.

The averments in the affidavit filed in support of the writ petition would show that earlier the petitioner herein filed W.P.No.14202 of 1988 questioning the suspension of the petitioner pending enquiry on the ground of social status. This Court initially granted interim suspension of the said suspension order and later disposed of the same on 18.03.1998 with a direction that the petitioner shall continue to work till final orders are passed in the enquiry, if the management intends to proceed further with the enquiry. During the course of enquiry the petitioner was asked to submit a fresh caste certificate. The said enquiry was concluded and the matter was posted for final orders. The action of the respondent in ordering fresh verification into the Caste Certificate submitted by the petitioner is subject matter of challenge in the present writ petition.

Learned counsel for the petitioner submits that there is no

need to verify the authenticity or genuinity of the caste certificate since the enquiry has already been completed.

The Government Pleader for Social Welfare strenuously opposed the same. He submits that since the final orders are awaited, the disciplinary authority has to verify the authenticity and genuinity of the caste certificate of the petitioner by asking the District Collector to verify the same.

A perusal of the material on record would show that pursuant to a letter written by the Hindustan Aeronautical Limited, the District Level Scrutiny Committee issued notice to the petitioner asking him to appear and explain the genuineness of the Caste Certificate. Since the petitioner failed to appear in spite of giving number of opportunities, the District Level Scrutiny Committee granted final opportunity to prove his community claim along with supporting documents and posted the matter to 04.06.2016. It is stated that on that day the petitioner failed to appear before the authority. Since the genuinity of the certificate is subject matter of dispute before the enquiry officer, nothing prevents the respondents to verify genuineness of the said certificate. The impugned order clearly show that the petitioner failed to appear before the District Level Scrutiny Committee, in spite of giving number of opportunities. Hence, the request of the petitioner cannot be acceded to.

Accordingly, the writ petition is dismissed. No order as to costs.

Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

**JUSTICE C. PRAVEEN
KUMAR**

08.06.2016
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