

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.19700 OF 2016

ORDER:

Heard the learned counsel for the petitioner, the learned Government Pleader for Social Welfare and the learned Government Pleader for Revenue. With consent of the counsel appearing for both sides, the present writ petition is disposed of at the admission stage.

2 . The present writ petition came to be filed with the following prayer:

“to issue an appropriate writ, order or direction; more particularly one in the nature of Writ of Mandamus declaring:

- i) the order dated 08.06.2016 issued by respondent No.3 as illegal, arbitrary, unconstitutional and contrary to the provisions of 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 the Petitioner as belonging to “Gandla” Community and pass such other order or orders as this Hon’ble Court deemed fit and proper in the circumstances of the case.”

3. Perusal of the order dated 06.07.2015 passed by this Court in W.P.No.17058 of 2015 reflects that the prayer therein was also on similar lines. In terms of the earlier decision of this Court in W.P.No.17560 of 2015, the learned Judge granted relief to the petitioners therein. The Community, Nativity and Date of Birth

Certificates issued to the petitioner clearly mention that she belong to "Gandla" Community, a backward caste.

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

5. Since the Community, Nativity and Date of Birth Certificate issued by the Tahsildar, Kataram Mandal, 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. 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 the petitioner, if otherwise warranted.

Consequently, Miscellaneous Petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

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JUSTICE C. PRAVEEN KUMAR

Date:21.06.2016

Note: Furnish C.C. within two (02) days.

(B/O)

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