

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No. 3542 OF 2016

ORDER:

The prayer of the petitioner in this case is as under:

“For the reasons stated in the accompanying affidavit, the petitioner prays that the Hon'ble Court may be pleased to pass an appropriate writ, order or direction more particularly in the nature of writ of Mandamus by declaring: (1) The order dated 27.08.2015 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.”

2. Heard Sri C.Naresh Reddy, learned counsel for the petitioner, and the learned Government Pleader for Social Welfare.

3. When the matter is taken up for hearing, it is submitted by the learned counsel for the petitioner that the issue involved in the present writ petition is squarely covered by the orders of this Court in W.P.No.23764 of 2013 dated 21.08.2013 and a copy of the same is placed on record along with the writ petition. In the case on hand also, petitioner relies upon the Community, Nativity and Date of Birth Certificates issued by the Mandal Revenue Officer, Kataram.

4. In the circumstances, there shall be a similar direction as in the above writ petition, which is as follows:

“Since the Community, Nativity and Date of Birth Certificates issued by the Mandal Revenue Officer, as mentioned above, is admittedly still in force, the respondents shall within two 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 certificates in favour of the petitioner, if they are of the view that the said caste certificate is false.”

With the above direction, the writ petition is disposed of. Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

February 5, 2016
LMV