

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION No.12426 of 2016

ORDER:

Sri K. Durga Prasad, learned counsel for the petitioner, states that the issue arising in this writ petition is squarely covered by the decision rendered by this Court in W.P.No.17508 of 2015.

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

“The Hon’ble Court may be pleased to issue an appropriate Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 4th respondent in rejecting application for community, Nativity and Date of Birth Certificate Vide endorsement date 29.03.2016 as illegal null void and contrary to law and consequently direct the 4th respondent to issue the Community, Nativity and Date of Birth Certificate to the petitioner who belongs to GANDLA Community BC-B group and to pass such other order or orders as this Hon’ble Court may deems fit just and proper in the circumstances of the case.”

Perusal of the order dated 06.07.2015 passed by this Court in W.P.No.17508 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 certificate issued to the petitioner in August, 2010 clearly mentions that she belongs to “Gandla” Community, a backward caste.

In that view of the matter, the writ petition is disposed of on the same lines as W.P.No.17508 of 2015 with the following direction:

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 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.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

Date:13.04.2016

GJ