

HON'BLE SRI JUSTICE SURESH KUMAR KAIT

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W.P. No. 24359 of 2016

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DATE: 22.07.2016

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Between:

Challa Ramesh
and three others

.. Petitioners

And

The State of Telangana
and three others

.. Respondents

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ORDER:-

This writ petition is filed for the following substantive relief:

“..... to issue a writ, order or direction more particularly one in the nature of writ of mandamus, declaring the order dated 13.07.2016 issued by the 3rd respondent, 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 and consequently direct the 3rd respondent to issue Digital Backward Class Community Certificate to the petitioners as belonging to “Gandla” community”.

Sri C.Naresh Reddy, learned counsel for the petitioners, has submitted that the petitioners belong to “Gandla” caste which falls under Backward Class Community and notified as “BC-B” and this issue is no more *res integra* as the same is decided by this Court in W.P.No.21891 of 2016 vide order dated 05.07.2016.

The learned Government Pleader for Social Welfare appearing for the respondents does not dispute the factual aspect submitted by the petitioners’ counsel and pleads that similar order may be passed in the present writ petition.

In view of the order dated 05.07.2016 in

W.P.No.21891 of 2016 and the order dated 06.07.2015 in W.P.No. 17508 of 2015 passed by this Court, I deem it appropriate to dispose of the writ petition with the following direction:

“Since the Community, Nativity and Date of Birth Certificates issued by the Tahsildar, Kataram Mandal, Karimnagar District, are admittedly, still in force, the respondents, shall within two (02) days from the date of receipt of a copy of this order, furnish the petitioners digital copies of the said certificates. 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 of the petitioners, if otherwise warranted.”

Subject to the above direction, the writ petition is disposed of. No order as to costs.

As a sequel to the disposal of the writ petition, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

SURESH KUMAR KAIT, J

22.07.2016

bcj