

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

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WRIT PETITION No.23085 OF 2016
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ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleaders for Social Welfare, Education and Revenue appearing for the respondents. 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 is filed with the following prayer:

“to issue a writ, order or direction, more particularly one in the nature of Writ of Mandamus declaring the action of the 2nd respondent in issuing the proceedings Ref: C5(M) 461/2014 dated 13.06.2016 by which directing the third respondent to launch prosecution against petitioner for alleged falsification of caste certificate issued by the 4th respondent as unjust, arbitrary, illegal, unreasonable and consequently direct the 1st respondent to dispose of the appeal of the petitioner dated 22.06.2016 within reasonable time.”

3. Learned counsel for the petitioner submits that the appeal filed by the petitioner against the impugned order dated 13.06.2016 is still pending consideration before the 1st respondent and without disposing of the same, the respondent authorities are taking steps to launch prosecution against the petitioner. He further submits that till consideration of appeal filed by the petitioner, the respondent authorities may not initiate any criminal prosecution against the petitioner since there are fair chances of success in the appeal.

4. Learned Government Pleader submits that the appeal will be

disposed of in accordance with law and the apprehension of the petitioner is only illusory.

5. Having regard to the above, the Writ Petition is disposed of directing the 1st respondent authority to dispose of the appeal filed by the petitioner against the order dated 13.06.2016 as early as possible preferably within a period of eight (08) weeks from the date of receipt of a copy of this order, after giving an opportunity of hearing to the petitioner. Till such time, the respondent authorities shall not launch any criminal prosecution against the petitioner and publicise the same through media.

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:14.07.2016
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