

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

WRIT PETITION No.12818 of 2010

ORDER

The case of the petitioner is that she completed M.B.B.S. in Karnataka State. She belongs to Scheduled Caste (Mala) Community and to that effect, a certificate was issued by the Tahsildar, Mulbagal Mandal on 26.07.2007. Thereafter, her marriage took place on 07.02.2007 with one K.M.Murali, who is native of Baireddipalli Manal, Chittoor District, Andhra Pradesh. Since then, she has been residing there. She was appointed as Civil Assistant Surgeon at Area Hospital, Palamaner, Chittoor District. She applied for the entrance test for admission into Post Graduate Medical Degree/Diploma Course for the Academic Year, 2010-11 as an in-service candidate. While issuing the hall ticket, the 1st respondent described her category as 'OC' though she belongs to 'SC'. When she approached the 1st respondent-University, the authorities of the 1st respondent informed her that the caste certificate obtained by her as 'Adi Karnataka' is not notified as 'SC' community in the state of Andhra Pradesh and hence, her social status has been treated as 'OC' instead of 'SC'. Hence, the present writ petition is filed seeking a direction to the 1st respondent to treat the category of petitioner as 'SC' instead of 'OC' and also direct respondent Nos.2 and 3 to issue caste certificate as 'Adi Andhra' (Mala) community.

Since the writ petition was filed in the year 2010, no relief can be granted at this length of time. However, as the 1st respondent-University refused to treat the petitioner as 'SC', the same appears to be incorrect.

Having regard to the facts and circumstances of the case, as and when the petitioner applied for any course to be prosecuted by her, the 1st respondent-University is directed to consider the certificate produced by her as her social status.

With the above observation, the Writ Petition is disposed of. There shall be no order as to costs.

The Miscellaneous Petitions, if any, pending in this petition shall stand closed.

M.S.K.JAISWAL,J

21st September, 2017.
ssp

