

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.26439 OF 2017

Date 08.08.2017

Between:
K.Venkateswarlu.

... Petitioner

AND

The State of Andhra Pradesh, rep. by its Principal
Secretary, Social Welfare (Tribal Welfare), Amaravathi,
Velagapudi, Guntur District and others.

.....Respondents



HONOURABLE SRI JUSTICE CHALLA KODANDA RAM**WRIT PETITION No. 26439 of 2017****ORDER:**

Heard the learned counsel for the petitioner and learned Government Pleader for Social Welfare.

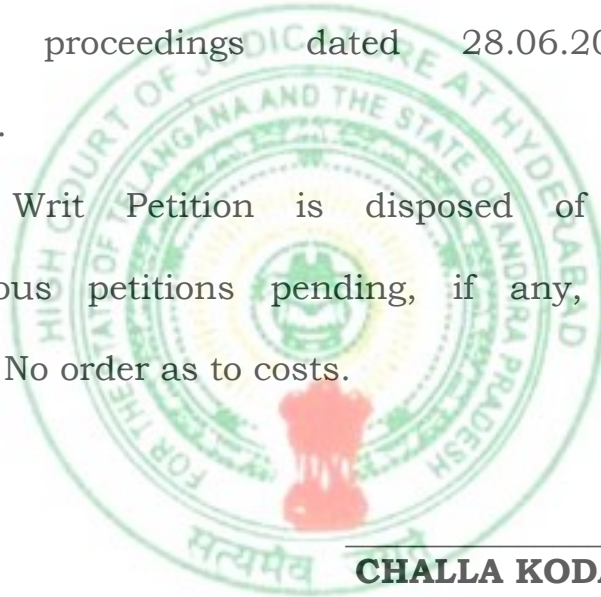
The action of respondent No.2, cancelling the caste certificate issued to the petitioner belonging to Koya (ST) by the Mandal Revenue Officer, Pathikonda, Kurnool District, dated 18.01.1995, by his impugned proceedings dated 28.06.2017, is questioned in this writ petition as being illegal and arbitrary.

Learned Government Pleader for Social Welfare points out para 15 of the writ affidavit, wherein the petitioner is alleged to have stated that he preferred an appeal before the Government on 21.07.2017 as against the proceedings dated 28.06.2017; and the petitioner, having availed the remedy of appeal, cannot be permitted to file the writ petition.

Learned counsel for the petitioner submits that, though he filed appeal before the Government, along with stay petition, no orders are passed either on the appeal or stay petition; and the petitioner is presently working as toilet cleaner, and there is every likelihood of he being removed from service pursuant to the impugned proceedings dated 28.06.2017.

Having considered the respective submissions, and considering the fact that the petitioner had already availed the alternative remedy of appeal and non-consideration of either stay petition or appeal may cause prejudice to him and there being imminent threat of he being removed from service effecting his livelihood, there shall be a direction to dispose of appeal, after affording opportunity to the petitioner, within four months from the date of receipt of a copy of this order. Till the disposal of appeal, the impugned proceedings dated 28.06.2017 stands suspended.

The Writ Petition is disposed of accordingly. Miscellaneous petitions pending, if any, shall stand dismissed. No order as to costs.



CHALLA KODANDA RAM,J

Date: 08.08.2017
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