

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 9425 of 2017

Order:

Heard learned counsel for the petitioner and learned Government Pleader for the respondents 1 to 6. In view of the nature of disposal of the present Writ Petition the notice to the seventh respondent is not issued.

It is the case of the petitioner that he belongs to Scheduled Tribe category and he was elected as Mandal Praja Parishad President in the year 2014. Due to political rivalry his social status is challenged. He further states that in the year 2002 the then District Collector and the Joint Collector initiated proceedings and issued notice for verification of his social status. He was asked to appear before the District Level Scrutiny Committee on 08.10.2007 and 16.08.2016 and on both occasions he appeared before the District Level Scrutiny Committee. It also appears that the Sub-Collector submitted a report on 17.01.2007 to the then District Collector, Khammam district with regard to social status of the petitioner. At that time, Khammam was a unified district and later on the same was bifurcated. Now, a fresh notice dated 23.02.2017 is issued consequent to bifurcation of the district asking the petitioner to appear before the District Level Scrutiny Committee in connection with the enquiry of the social status of the petitioner on 18.03.2017. Challenging the said notice, the present Writ Petition is filed.

Learned counsel for the petitioner submits that in view of the earlier appearances of the petitioner before the District Level Scrutiny Committee and the report submitted by the Sub-Collector on 17.01.2007, though no final orders were passed by the District Level Scrutiny

Committee, there is likelihood of passing orders by the District Level Scrutiny Committee of Khammam district.

I am not in agreement with the said submission, as the district is bifurcated now and the present notice is issued pursuant to the bifurcation of the district and the petitioner is asked to appear before the District Level Scrutiny Committee of the new Bhadradri Kothagudem district. It is also not in dispute that no order was passed by the Joint Collector pursuant to the earlier enquiries.

In the circumstances, this Writ Petition is disposed of giving liberty to the petitioner to appear before the District Level Scrutiny Committee on 18.03.2017 and submit his case in support of his social status. It is also open to the fourth respondent to call for the earlier file from the third respondent, as the petitioner earlier appeared before the third respondent pursuant to the notices issued by the third respondent on earlier occasions. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 16.03.2017
Nsr