

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.19245 OF 2010

DATED : 24.01.2018

Between :

B.Laleppa S/o.Late B.Narasappa,
Aged about 57 yrs, Occu : Manager,
Syndicate Bank, Currency Chest,
Bellary R/o.Lingamma Compound,
Mahanadikottam, Bellary, Karnataka.

.. Petitioner

And

The District Collector,
Ananthapur, Ananthapur District & others.

.. Respondents



This court made the following :

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ORDER :

Petitioner was issued social status certificate declaring him as Scheduled Tribe (Erukala). Based on the said certificate, petitioner secured employment as clerk in Syndicate Bank, on 07.09.1977. While so, on 16.07.2010 notice in Form-VI was issued directing the petitioner to appear on 07.08.2010 before the Scrutiny Committee along with the material to support his contention that he belongs to Erukala community. A reading of the notice would disclose that this notice was issued based on the report from the Revenue Divisional Officer on the genuineness of the certificate issued to the petitioner. At that stage, petitioner filed this writ petition.

2. This Court by order dated 06.08.2010 made in W.P.M.P.No.24373 of 2010 granted interim suspension of the notice impugned.

3. In support of the order passed by this Court, this Court noted that on 18.08.2000, the Revenue Divisional Officer submitted report to the Collector, Anantapur holding that the Schedule Tribe certificate issued in favour of the petitioner was genuine. Though such report was submitted in the year 2000, the competent authority kept quiet for more than 10 years to issue the impugned notice.

4. When the matter is taken up learned counsel for the petitioner submits that during pendency of this writ petition, petitioner died. Since the impugned notice is with reference to verification of social status of the petitioner, no proceedings are maintainable against a dead person and therefore, the further action does not survive.

5. Recording the said submission, the writ petition is closed. However, it is made clear that this order does not come in the way of examining the issue of claims of siblings of petitioner, if at all any such claim is made or enquiry is initiated. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

24th January, 2018
Rds

P.NAVEEN RAO,J

