

THE HON'BLE SRI JUSTICE P.KESHA VA RAO

WRIT PETITION No.339 OF 2015

ORDER:

Heard the learned counsel appearing for the petitioner and the learned Government Pleader appearing for the respondents 1 to 3.

The prayer sought for in the writ petition is as under:

“to Issue an appropriate Writ Order or direction more particularly one in the nature of Writ of Mandamus directing the 2nd Respondent to issue Agency Certificate to the Petitioner by considering the Applications dated 07/12/2012, 21/02/2013 & 03/01/2014 submitted by the Petitioner herein.”

The case of the petitioner is that she belongs to “Lambada” community. She possessed D.Ed. qualification. Pursuant to the notification issued by the District Selection Committee, she has applied for the post of Secondary Grade Teacher and was selected for the said post. Pursuant thereto, she was intimated to attend the office of the 3rd respondent along with original certificate vide proceedings in R.C.No.B2/7400/2012, dated 05.12.2012. Accordingly, the petitioner attended the office of 3rd respondent and submitted all her documents. However, she was asked to produce the Agency Certificate issued by the 2nd respondent. Thereupon, she submitted a representation dated 07.12.2012 to the 2nd respondent for issuance of Agency Certificate. However, the petitioner has not received any response from the 2nd respondent. Thereupon, she submitted another representation dated 21.02.2013. As there was no response, the present writ petition is filed.

The learned Government Pleader, during the course of arguments, placed on record the parawise remarks dated 20.01.2015 issued by the Tahasildar, Indravelly Mandal. The same is placed on record. A perusal of the said remarks would indicate that pursuant to the representation submitted by the petitioner, a memo was issued to the petitioner asking her to furnish the documents mentioned therein. However, the petitioner submitted the Electoral Roll pertaining to the year 1965, but not the information sought by the respondents. The learned Government Pleader further submitted that if the information sought by the respondents is furnished, appropriate orders will be passed.

The learned counsel appearing for the petitioner would contend that the petitioner is a landless poor person and therefore, the question of complying with the condition by furnishing copy of a sale deed or any other registration documents pertaining to immovable property may not arise. Be that as it may, the other information in the form of birth & death record prior to 1950; or Electoral Roll prior to 1950; or the school records/ or any other acceptable documentary evidence prior to 1950 can be submitted to the respondents. On this suggestion, the learned counsel for the petitioner seeks time.

Therefore, in the peculiar facts and circumstances of the case, this Court is inclined to dispose of the writ petition with a direction to the 2nd respondent to consider and pass appropriate orders on the representations dated 07.12.2012 and 21.02.2013 submitted by the petitioner on her furnishing the information sought

for in the memo issued by the 2nd respondent, within a period of three months from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of. No costs.

Pending miscellaneous petitions, if any, shall stand closed.

P.KESHA VA RAO,J

22nd NOVEMBER 2018.

Tsr

