

HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

Writ Petition No.21523 of 2011

ORDER:

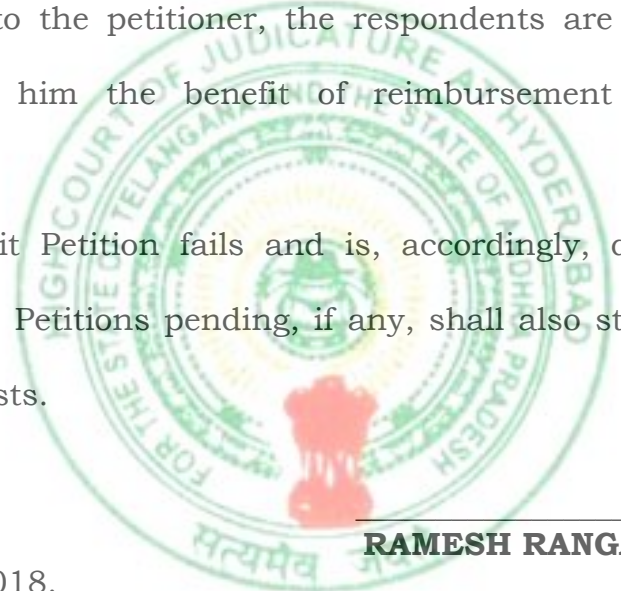
Neither is Sri S.Venakta Subba Rao, Learned Counsel for the petitioner, present nor is there any representation on his behalf. The petitioner claims that he belongs to Budaga Jangam community; it is recognized as a Scheduled Caste community; and he is, therefore, entitled for post-matriculation scholarship as a member of the Scheduled Castes. This Court, by order in W.P.M.P.No.26198 of 2011 dated 30.03.2012, directed the respondents to consider the petitioner's application, for grant of post-metric scholarship, on the basis of the caste certificate held by him, if the said certificate was valid, and had not been cancelled as on that date.

In the counter-affidavit, reference is made to G.O.Ms.No.84 dated 06.05.2008 whereby the Andhra Pradesh (SCs, STs & BCs) Regulation of Issue of Community and Date of Birth Certificates Rules, 1997 were amended and, in Annexure-I in the table under Item 3 Schedule against the Schedule Castes specified in Col. (1), the existing entries in Col.2 and Col.3 were substituted. Consequent on such substitution, the competent authority, to issue a caste certificate with respect to Budaga Jangam community, is the Tahsildar in the State, and his jurisdiction is within the territorial limits of the Mandal. In the counter-affidavit it is further stated that members of this community are mainly to be found in Telangana region; and the State Government had declared that persons residing elsewhere could not be held to belong to the Budaga Jangam community and, consequently, the petitioner is not entitled to claim benefits as a member of the Scheduled Caste, or for being granted

benefits which are being extended only to the members of this community.

No reply-affidavit is filed by the petitioner. It is only if the petitioner is held to be a member of the Scheduled Castes would he be entitled to claim reimbursement/grant of tuition fee for the B.Pharmacy course. The respondents dispute the petitioner's claim of being a member of the Scheduled Caste. It does appear that, in terms of the amendment to the Rules, the petitioner is required to obtain a caste certificate, from the competent authority, to establish that he belongs to the Scheduled Castes. As no such certificate has been issued to the petitioner, the respondents are justified in not extending to him the benefit of reimbursement of post-metric scholarship.

The Writ Petition fails and is, accordingly, dismissed. The Miscellaneous Petitions pending, if any, shall also stand closed. No order as to costs.



RAMESH RANGANATHAN, ACJ.

Date:13-04-2018.
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