

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.NO.28435 OF 2018

O R D E R

Both the petitioners are minors and they are represented by their natural guardian father. The case of the petitioners is that they belong to "Gandla" community, which is notified as B.C.- B category and to that effect, the erstwhile Government of Andhra Pradesh issued caste certificates bearing Nos. C/649/10 and C/1119/2010. Now their grievance is that when they submitted applications through mee seva on 07.07.2018 vide Nos. CNDO21813692906 and CNDO21813691925, for issuance of fresh digital caste certificates, and that the said applications were sent to the office of the 3rd respondent – Tahsildar, till date, no certificates were issued. Hence the writ petition.

Learned counsel for the petitioners submit that this court in similar facts and circumstances in W.P.No.21241 of 2018 dated 04.07.2017 considering the facts therein that when the petitioner's community certificate was valid and subsisting and that the Tahsildar rejected the application of the petitioner for issuance of digital copy of the backward class community certificate, held that such rejection is bad and while allowing the writ petition, directed the respondents to issue digital copy of the backward class community certificate to the petitioner within two days from the date of receipt of a copy of the order. Learned counsel for the petitioners', seeks to pass similar order.

Learned Assistant Government Pleader for Social Welfare could not dispute the above submission of the learned counsel for the petitioners.

In view of the same and as the caste certificates issued to the petitioners' are stated to be subsisting, writ petition is allowed, directing the 3rd respondent to issue digital copy of the 'backward class community certificate' to the petitioners within a period of two days from the date of receipt of a copy of this order.

It is made clear that this order shall not preclude the respondents from initiating action under Section 5 of A.P. (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act, 1993, for cancellation of the caste certificates in favour of the petitioners, if they are of the view that the said caste certificates are false.

Interlocutory applications pending, if any, shall stand closed. No costs.



A. RAJA SHEKER REDDY, J

DATE: 10—08—2018

Note:

C.C. by tomorrow.

B/O