

**HON'BLE THE CHIEF JUSTICE SRI THOTTATHIL B. RADHAKRISHNAN
AND
HON'BLE SRI JUSTICE A. RAJASHEKER REDDY**

WRIT APPEAL No.140 OF 2019

JUDGMENT: *(per the Hon'ble the Chief Justice Sri Thottathil B. Radhakrishnan)*

We have heard the learned Senior Counsel for the appellants/writ petitioners and the learned Government Pleader appearing for the Tribal Welfare Department.

2. The Writ Petition was filed seeking an order that the official respondents shall not entertain any application from candidates belonging to Sugalis, Lambadas and Banjaras under the category of local Scheduled Area candidates and not to issue certificates. The learned Single Judge is yet to consider the application for interim relief and has issued notice in the Writ Petition.

3. To our query, the learned Government Pleader for Tribal Welfare Department submits that counter-affidavit has already been placed in the Writ Petition and the State has no objection for the matter being considered by the learned Single Judge either for grant of interlocutory order or for taking final decision in the Writ Petition at the earliest.

4. The learned Senior Counsel for the appellants submits that having regard to the ongoing selection process, the appellants will

be put to peril, if the Writ Petition is not considered for orders expeditiously.

5. Noticing that it will be inappropriate for the intra court appellate authority to issue an interim order in a matter which is pending consideration before the learned Single Judge after issuance of notice on the Writ Petition, we relegate this matter for consideration for issuance of interim order or final order as may be deemed it appropriate by the learned Single Judge after hearing the writ petitioners and the respondents.

6. The Writ Appeal is ordered accordingly without interfering with the impugned interlocutory order.

7. Pending miscellaneous petitions, if any, shall also stand disposed of. There shall be no order as to costs.

THOTTATHIL B. RADHAKRISHNAN, CJ

A. RAJASHEKER REDDY, J

Date: 12.03.2019

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