

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.5270 OF 2019

O R D E R :

This writ petition is filed seeking a Writ of Mandamus declaring the action of the respondents with regard to the process adopted for the selection of Forest Beat Officers in Warangal District (unified) in the Scheduled Agency Area, Notification No.48/2017, dated 15.08.2017 without conducting enquiry into the genuineness of the Agency area certificates produced by the candidates and declaring the Provisional Selection List dated 12.02.2019, as illegal, arbitrary and contrary to the provisions of G.O.Ms.No.3, Social Welfare (TW.edn.II) Department dated 10.01.2000 and G.O.Ms.No.24, Tribal Welfare (LTR.I) Department dated 12.06.2018 and in violation of Articles 14, 16 and 21 of Constitution of India and consequently set aside the Provisional Selection List dated 12.02.2019 issued by 3rd respondent and direct the respondents 3 to 8 to conduct enquiry into all the Agency certificates to bring out the originals from the fake certificates prior to issuance of appointment orders.

It is contended by the petitioners that in pursuance to the notification issued by the 3rd respondent on 15.08.2017, they have applied for the post of Forest Beat Officer notified in Agency Area as they belong to Scheduled Tribe community and are local to Scheduled Agency Area. Petitioners further contend that as per the notification dated 15.08.2017, post of the Forest Beat Officer in Scheduled Agency Area is liable to be filled up with local Scheduled Tribe candidates only. The grievance of the petitioners is that the respondents have declared the Provisional Selection List on

12.02.2019 wherein according to petitioners, many of the candidates who have produced fake local Agency Area certificates were included in the Provisional Selection List and the respondents without verifying the local Agency Area certificates of selected candidates have included their names in the Provisional Selection List and consequently the cases of the petitioners are not considered.

Learned counsel for the petitioners contends that petitioners have submitted a representation on 06.03.2019 requesting the authorities to verify the certificates of the selected candidates and if the certificates are found to be not genuine, their names be removed from the Provisional Selection List and cases of the petitioners be considered for the post of Forest Beat Officer.

Learned Government Pleader appearing for the respondents had contended that the certificates of all the selected candidates were sent for verification to the District Collector on 12.02.2019 and the District Collector within the reasonable time would verify the certificates of selected candidates and thereafter appropriate action would be initiated basing on the report of the District Collector.

This Court, having considered the rival submissions of both the parties, is of the considered view that this writ petition can be disposed of directing the District Collector to verify the genuineness of local area Agency certificates granted in favour of the selected candidates, after giving an opportunity to them and if in the said process, any of the selected candidate's certificate is found to be not genuine, his/her appointment shall be cancelled and case of the petitioners may be considered if petitioners come up within the zone of consideration.

With the above observations, writ petition is disposed of. There shall be no order as to costs.

Pending miscellaneous applications, if any, shall stand closed in consequence.

ABHINAND KUMAR SHAVILI,J

Date: 14.03.2019
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