

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILU

WRIT PETITION No.5381 of 2019

ORDER:

This writ petition is filed seeking the following relief :-

“.... to issue a Writ, order or direction more particularly one in the nature or Writ of Mandamus declaring the action of the respondents herein in not taking further action on the representations dated 12.09.2018 and 28.01.2019, wherein the petitioner requested to verify and conduct enquiry in respect of BC-B caste certificates submitted for appointment to the posts of SGTs (Urdu) Medium in Medak District, following the Notification No.53/ 2017 dt.21.10.2017 as illegal, arbitrary and consequentially the Honourable Court may pleased to direct the respondents herein to verify and conduct enquiry in respect of BC-B caste certificates produced for appointment as SGT (Urdu) Medium in Medak District following the Notification No 53/ 2017 dt.21.10.2017 before issuing appointment order”.

Heard Mr.Shaik Hameed, learned counsel for petitioner, learned Government Pleader for Services-I for respondents 1, 3 and 4 and Sri D.Bala Kishan Rao, learned Standing Counsel for the 2nd respondent.

It has been contended by the petitioner that he is fully eligible and qualified to be appointed as Secondary Grade Teacher in Urdu Medium. The respondents have issued recruitment Notification for filling up Secondary Grade Teachers on 21.10.2017. The petitioner has responded to the said Notification and participated in the regular selection process. The petitioner is a member belonging to BC-B community.

The grievance of petitioner is that in all 11 posts were earmarked for BC-B category in Medak District. The petitioner could not be selected under BC-B category.

The grievance of petitioner is that many of the candidates, who were selected, have produced fake BC-B caste certificates and those names were included in the selected list. The petitioner has submitted representations to the respondents on 12.09.2018 and 28.01.2019 requesting to verify the genuineness of BC-B caste certificates of the selected candidates and only after verification, appropriate orders be passed in favour of selected candidates. In the process, if the respondents realise that any of the candidates have produced fake BC-B caste certificates, then such fake BC-B caste certificates of selected candidates were to be removed and the case of the petitioner be considered for appointment to the post of Secondary Grade Teacher in Urdu Medium.

Learned counsel for petitioner contended that the respondents are neither passing any orders on the representations submitted by the petitioner nor undertaking any exercise to verify the genuineness of BC-B caste certificates produced by the selected candidates. Therefore, the counsel for petitioner contended that appropriate orders be passed in the writ petition directing the respondents to consider the representations submitted on 12.09.2018 and 28.01.2019 and pass appropriate orders in accordance with law.

Learned Standing Counsel appearing for the 2nd respondent has contended that the representations of the petitioners will be considered and appropriate orders would be passed in accordance with law. Apart from that, the 2nd respondent will verify the BC-B caste certificates of the selected candidates and only after satisfying the genuineness of certificates, appointment orders

would be issued. Without verifying the caste certificates of the selected candidates, no appointment orders will be issued.

In view of the submission made by the learned Standing Counsel that the 2nd respondent will verify the caste certificates of the selected candidates, this Court is of the considered view that the ends of justice would be met if the 2nd respondent is directed to consider the representations submitted by the petitioner on 12.09.2018 and 28.01.2019 and verify the caste certificates of the selected candidates and pass appropriate orders within a period of six weeks from the date of receipt of a copy of this order.

The writ petition is disposed of accordingly. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVIL, J

Date: 15-03-2019
Prv



