

**IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)**

**TUESDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HONOURABLE MRS JUSTICE SUREPALLI NANDA

WRIT PETITION NO: 36397 OF 2024

Between:

GATHADE DATTATRI, s/o Gathade Digamber, aged about 22 years, occ. Student,
r/o H.No.1-21, Muthnur village, Gudihatnoor Mandal, District Adilabad.

...PETITIONER

AND

1. The State of Telangana, Represented by its Principle Secretary, Tribal Welfare Department, Secretariat, Hyderabad.
2. The Commissioner of Tribal Welfare, State of Telangana, 1st floor, D.S.S. Bhavan, Masab Tank, Hyderabad.
3. The District Collector, Adilabad, District Adilabad.
4. The Integrated Tribal Development Agency, Represented by Project Officer, Utnoor, District Adilabad.
5. The Revenue Divisional Officer, Adilabad, District Adilabad.
6. The Tahsildar, Mandal Gudihatnoor, District Adilabad.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to pass an order, or orders, direction or issue a writ more particularly one in the nature of writ of Mandamus, directing the respondents herein to issue the Scheduled Tribe Caste Certificate to the petitioner certifying that the petitioner belong to Schedule Tribe - Kammara Caste in pursuant to A.P. (Scheduled Castes, Scheduled Tribes, and Backward Classes) Regulation of issue of community, Nativity and Date of Birth Certificate Rules 1997, considering the Online application submitted by the petitioner vide Application No.CND 022430845510 dated. 24-8-2024 with relevant enclosures, and consequently

declare the action of not issuing the said certificate to the petitioner is illegal, arbitrary, and violative of Article 14 of the Constitution of India, and against the said Rules.

IA NO: 1 OF 2024

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to pass an order, directing the respondents herein to issue the Scheduled Tribe Caste Certificate to the petitioner certifying that the petitioner belong to Schedule Tribe - Kammara Caste in pursuant to A.P. (Scheduled Castes, Scheduled Tribes, and Backward Classes) Regulation of issue of community, Nativity and Date of Birth Certificate Rules 1997, considering the Online application submitted by the petitioner vide Application No.CND 022430845510 dated. 24-8-2024 with relevant enclosures, pending disposal of main W.P.

Counsel for the Petitioner : SRI S.CHANDRASEKHAR

Counsel for the Respondents No.1&2 : GP FOR SOCIAL WELFARE

Counsel for the Respondents No.3,5&6 : GP FOR REVENUE

Counsel for the Respondents No.4 : GP FOR ITDA

The Court made the following: ORDER

declare the action of not issuing the said certificate to the petitioner is illegal, arbitrary, and violative of Article 14 of the Constitution of India, and against the said Rules.

IA NO: 1 OF 2024

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to pass an order, directing the respondents herein to issue the Scheduled Tribe Caste Certificate to the petitioner certifying that the petitioner belong to Schedule Tribe - Kammara Caste in pursuant to A.P. (Scheduled Castes, Scheduled Tribes, and Backward Classes) Regulation of issue of community, Nativity and Date of Birth Certificate Rules 1997, considering the Online application submitted by the petitioner vide Application No.CND 022430845510 dated. 24-8-2024 with relevant enclosures, pending disposal of main W.P.

Counsel for the Petitioner : SRI S.CHANDRASEKHAR

Counsel for the Respondents No.1&2 : GP FOR SOCIAL WELFARE

Counsel for the Respondents No.3,5&6 : GP FOR REVENUE

Counsel for the Respondents No.4 : GP FOR ITDA

The Court made the following: ORDER

HON'BLE MRS. JUSTICE SUREPALLI NANDA

WRIT PETITION No.36397 OF 2024

ORDER:

Heard Sri S. Chandrasekhar, learned counsel appearing on behalf of the petitioner, learned Assistant Government Pleader for Social Welfare appearing on behalf of respondent Nos.1 and 2, learned Assistant Government Pleader for Revenue, appearing on behalf of respondent Nos.3, 5 and 6 and learned Assistant Government Pleader for ITDA, appearing on behalf of respondent No.4.

2. The petitioner approached the Court seeking prayer as under:

" ...to issue an order or orders direction or issue a writ more particularly one in the nature of writ of *Mandamus* directing the respondents herein to issue the Scheduled Tribe Caste Certificate to the petitioner certifying that the petitioner belong to Schedule Tribe - Kammara Caste in pursuant to A.P. (Scheduled Castes, Scheduled Tribes, and Backward Classes) Regulation of issue of community Nativity and Date of Birth Certificate Rules 1997, considering the Online application submitted by the petitioner

vide Application No CND 022430845510 dated 24-8-2024 with relevant enclosures and consequently declare the action of not issuing the said certificate to the petitioner is illegal, arbitrary and violative of Article 14 of the Constitution of India and against the said Rules and to pass...".

3. The case of the petitioner in brief is that the petitioner belongs to "Kammara" caste which comes under Schedule Tribe community as per the Sl.No.5 of Annexure-I of A.P (SC, ST & BC) Issue of Community, Nativity and Date of Birth Certificate Rules 1997. The petitioner submitted an Online application to the respondent No.6 vide application No. CND 022430848510, dated 24.08.2024 and also submitted a representation dated 28.10.2024 in Praja Vaani to the District Collector, Adilabad with a request to direct the Tahsildar, Gudihatnoor for issuance of ST caste certificate. However, no action was initiated till date for issuance of the said certificate. Aggrieved by the said inaction of the respondents, the present writ petition is filed.

4. The learned Government Pleader for Social Welfare submits that in pursuance to the Online application of the petitioner dated 24.08.2024, enquiry had been conducted and orders would be passed with regard to the request of the petitioner for issuance of ST caste certificate to the petitioner.

5. Taking into consideration the submissions made by the learned Government Pleader for Social Welfare appearing on behalf of the respondents the writ petition is disposed of directing the respondent No.6 to consider the Online application No. CND 022430848510, dated 24.08.2024 submitted by the petitioner, in accordance to law and pass appropriate orders as per the enquiry already initiated by the 6th respondent and communicate the decision on the said application dated 24.08.2024 bearing application No.CND 022430848510 to the petitioner, within a period of two (2) weeks from the date of receipt of a copy of this order. However, there shall be no order as to costs.

As a sequel, the miscellaneous petitions, if any, pending in the Writ Petition shall also stand closed.

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Sd/- V. KAVITHA
ASSISTANT REGISTRAR
SECTION OFFICER

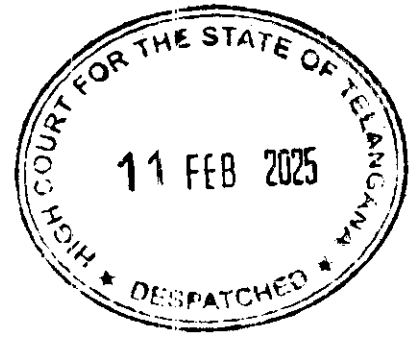
To,

1. The Principal Secretary, Tribal Welfare Department, State of Telangana, Secretariat, Hyderabad.
2. The Commissioner of Tribal Welfare, State of Telangana, 1st floor, D.S.S. Bhavan, Masab Tank, Hyderabad.
3. The District Collector, Adilabad, District Adilabad.
4. The Integrated Tribal Development Agency, Represented by Project Officer, Uttoor, District Adilabad.

5. The Revenue Divisional Officer, Adilabad, District Adilabad.
6. The Tahsildar, Mandal Gudihatnoor, District Adilabad.
7. One CC to SRI S.CHANDRASEKHAR, Advocate. [OPUC]
8. Two CCs to GP for SOCIAL WELFARE, High Court for the State of
Telangana. [OUT]
9. Two CCs to GP for REVENUE, High Court for the State of Telangana at
Hyderabad. [OUT]
10. Two CCs to GP for ITDA, High Court for the State of Telangana at
Hyderabad. [OUT]
11. Two CD Copies.

HIGH COURT

DATED:31/12/2024



ORDER

WP.No.36397 of 2024

**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

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11/02/25
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