



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 4228 OF 2025

Sainath Laxman Madikuntawar,
Age: 35 years, Occu: Education,
R/o. At and Post Kundalwadi, Biloli,
District Nanded.

... **PETITIONER**

V/s.

1. The State of Maharashtra,
Through its Secretary,
Tribal Development Department,
Mantralaya, Mumbai – 32.

2. Scheduled Tribe Certificate
Scrutiny Committee, Kinwat Division,
Aurangabad.
Through its Member Secretary.

... **RESPONDENTS**

.....
Mr. Sainath S. Jayewar, Advocate for the Petitioners
Ms. S.S. Joshi, AGP for the Respondent-State
.....

**CORAM : MANISH PITALE &
Y.G. KHOBRAGADE, JJ.**

DATE : 31st July, 2025

JUDGMENT (Per: Y.G. Khobragade, J.) :-

1. Rule. Rule made returnable forthwith. With the consent of both the sides, it is heard finally at the stage of admission.

2. By the present petition, the Petitioner takes exception to the order dated 19.03.2025 passed by the Respondent No.2-Scrutiny Committee, thereby invalidating his “Mannervarlu” Scheduled Tribe certificate.

3. We have considered the submissions of the learned counsel for the Petitioner and the learned AGP for the Respondents.

4. Having regard to the rival submissions canvassed on behalf of both the sides, we have gone through the record. As per the Genealogical tree, Shivayya Madikuntawar was having three sons namely Piraji, Potanna and Lacchmanna. Saianna is son of Lacchmanna. Laxman, Sheshbai and Nagnath are children of Saianna. Vaishnavi and Shirisha are daughters of Nagnath. Lingamani, Nagmani and Sainath (Petitioner) are children of Laxman. Shivanna is the son of Pirajji. Hanmanlu, Limbaji, Poshetti and Piraji are sons of Shivanna. Wadena is the son of Hanmanlu. Potanna is the father of Waddeanna. Vasant, Pushpa, Purushottam, Subhash and Ravi are sons of Waddeanna. Sindhupriya and Shivam are children of Vasant.

5. On face of record it appears that, the paternal blood relatives of the Petitioners were granted Scheduled Tribe validities by this Court as well as by the Respondent No.2/Scrutiny Committee which are as under:

Sr.No.	Name	Issued on	Issued by
1.	Piraji Shivanna Bemroad	06.01.2003	Committee
2.	Madikuntawar Waddenna Hanmanlu	02.05.2006	Committee
3.	Pushpa Waddenna Madikuntawar	01.02.2011	Committee
4.	Sindhupriya Vasant Madikuntawar	25.10.2024	High Court in WP/12020/2024 (Conditional)
5.	Shivam Vasant Madikuntawar	25.10.2024	High Court in WP/12020/2024 (Conditional)

6. The Respondent No.2/Scrutiny Committee has not denied the paternal blood relations between the Petitioner and other validity holders in his paternal blood relatives as referred above. Therefore, taking into consideration the law laid down in **Mah. Adivasi Thakur Jamat Swarakshak Samiti Vs. State of Maharashtra and others; AIR 2023 SC 1657, Shweta Balaji Isankar Vs. The State of Maharashtra and others; 2018 SCC OnLine Bom. 10363 and Apporva Vinay Nichale Vs. Divisional Caste Certificate Scrutiny Committee No.1 and others; 2010 (6) Mh. L.J. 401**, wherein it has been concluded that when the biological father, biological siblings, biological uncle etc., are granted validity certificates, a candidate so related to them, cannot be deprived of a validity certificate, the present Petitioner is entitled to have a certificate of validity. However, the said validity shall be co-terminus with the decision in the matter which the committee may decide to re-open.

7. In view of above discussion, the present petition deserves to be allowed partly and the impugned order dated 19.03.2025 passed by the Respondent No.2-Scrutiny Committee needs to be quashed and set aside. Accordingly, we proceed to pass the following order:

ORDER

- i. Writ Petition is partly allowed.
- ii. The impugned order dated 19.03.2025 passed by the Respondent No.2-Scrutiny Committee is hereby quashed and set aside.

- iii. The Respondent No.2-Scrutiny Committee shall issue “Mannervarlu” Scheduled Tribe validity certificate in favour of the Petitioner forthwith which shall be subject to final outcome of the matters which the committee has decided to re-open.
- iv. Rule is made partly absolute in above terms.

[Y.G. KHOBRADE, J.]

[MANISH PITALE, J.]