



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

WRIT PETITION NO. 10812 OF 2025

Varad Satish Tammadwar ... **Petitioner**

VERSUS

The State of Maharashtra and Ors. ... **Respondents**

AND

WRIT PETITION NO. 10813 OF 2025

Aditya Sandip Tammadwar ... **Petitioner**

VERSUS

The State of Maharashtra and Ors. ... **Respondents**

- Mr. A. S. Golegaonkar h/f Mr. M. A. Golegaonkar, Advocate for the petitioner,
- Mr. S. N. Kendre and Mr. R. D. Raut, AGPs for the Respondents State

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

DATE : **04.09.2025**

ORDER (Per: Y. G. Khobragade, J.)

1. In both these petitions, the petitioners challenge the orders dated 02.09.2025 and 15.05.2025, passed by Respondent No.2 Scrutiny

Committee, thereby invalidating their 'Mannervarlu' Scheduled Tribe claim.

2. Issue notice to the respondents. Learned AGPs waive notice on behalf of Respondents/State in both the petitions.

3. The petitioners are aspiring students of professional courses and they require the validity for education purpose. Therefore, considering the urgency shown, both the petitions are taken up together for disposal at the stage of admission.

4. Having regard to the strenuous submissions canvassed on behalf of both sides, we have gone through the petition paper book.

5. In both these petitions, the petitioners are cousins. As per the genealogical tree, Ashanna Ramanna Tammadwar, forefather of the petitioners, had two sons namely Ramlu and Laxman. Narayan is the son of Ramlu and Gangadhar is the son of Laxman. Vijaykumar is the son of Narayan and Sunil is the son of Gangadhar. Sandip, Satish and Sanjiv are the sons of Vijaykumar. Aditya (petitioner in Writ Petition No.10813 of 2025) and Prachi are the children of Sandip. Rutuja and Varad (petitioner in Writ Petition No.10812 of 2025 are the children of Satish.

6. On the face of record, it appears that on 18.03.2010, respondent No.2 Scrutiny Committee granted 'Mannervarlu' Scheduled Tribe validity certificate in favour of Sunil Gangadhar Tammadwar,

cousin grandfather of the petitioners in both these petitions. This Court passed an order in Writ Petition No.6577 of 2023 (Prachi Sandip Tammadwar Vs. The State of Maharashtra and ors.) and Writ Petition No.5389 of 2022 (Avantika Ashok Tammadwar Vs. The State of Maharashtra and Ors) on 08.09.2023, directing the Scrutiny Committee to issue conditional 'Mannervarlu' Scheduled Tribe validity certificates in favour of the said petitioner.

7. Since the blood relatives of the petitioners holding validity certificates as well as conditional validity certificates, therefore, as per the law laid down in the cases of *Mah. Adiwasi Thakur Jamat Swarakshan Samiti Vs. State of Maharashtra & Ors.*; AIR 2023 SC 1657, *Shweta Balaji Isankar Vs. State of Maharashtra & Ors.*, 2018 SCC Online Bom. 10341, *Apoorva Vinay Nichale Vs. Divisional Caste Certificate Scrutiny Committee No.1 and Ors.*, 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 Petitioners are entitled to have conditional certificates of validity.

8. The Petitioners are the aspiring students of professional courses and they intend to secure admissions under the Scheduled Tribe reserved category. Therefore, they are called upon to furnish

undertaking that, in case, their caste validity certificates are invalidated by the Scrutiny Committee, in that event they shall pay the tuition fees and admission fees applicable to the candidate from open category and no equity shall lie in their favour. In view of above discussion, the present Petitions deserve to be allowed partly and the impugned orders dated 02.09.2025 and 15.05.2025 passed by Respondent No.2 Scrutiny Committee needs to be quashed and set aside. Accordingly, we proceed to pass the following order:-

ORDER

- (i) The Writ Petitions are partly allowed.
- (ii) The impugned orders dated 02.09.2025 and 15.05.2025, passed by Respondent No.2 Scrutiny Committee is hereby quashed and set aside.
- (iii) Respondent No.2 Scrutiny Committee shall immediately issue 'Mannervarlu' Scheduled Tribe validity certificates in favour of the Petitioners, which shall be subject to following conditions:-
 - (a) The caste validity certificates shall be subject to the outcome of the re-verification of the validity certificates of their blood relatives proposed by the Scrutiny Committee.
 - (b) The Petitioners shall furnish undertaking before the Registrar (Judicial) of this Court as well as before the Scrutiny Committee and the Educational Institution with whom they will take admission for professional courses, indicating that in case their caste validity certificates are revoked, they would deposit the

tuition fees and other charges applicable to the candidates from open category.

- (c) The Petitioners shall not claim any equity.
- (d) The Petitioners shall cooperate with the Scrutiny Committee.

(Y. G. KHOBRADE, J.)

(MANISH PITALE, J.)

Rushikesh/2025