

**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH  
AT HYDERABAD**

(Special Original Jurisdiction)

THURSDAY, THE THIRTIETH DAY OF JUNE  
TWO THOUSAND AND FIVE

**PRESENT**

**THE HON'BLE MR JUSTICE S.ANANDA REDDY**

**WRIT PETITION NO : 6837 of 2005**

Between:

Dr. Nimshkavi Bikshapathy, S/o. Gattaiah,  
Studying MD, Andhra Medical College, Visakhapatnam,

New presently residing at PG College Hostel,

Andhra University, Visakhapatnam

**..... PETITIONER**

AND

1 The Mandal Revenue Officer, Shayampet Mandal,

Warangal District.

2 The Revenue Divisional Officer, Mulug, Warangal District.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction, more particularly a Writ in the nature of Mandamus, declaring that the 2nd respondent has no power or authority to enquire into the social status of the petitioner and the auction of the 2nd respondent in issuing the impugned notice dated 17-2-2005 in Rc.No. 1/3099/04 received by the petitioner on 15-3-2005 without furnishing the relevant documents which forms the basis for issuance of the same as being illegal, arbitrary and violative of Article 14 of the Constitution of India and the procedure prescribed under Section 5 of the Andhra Pradesh (Scheduled Castes), Scheduled Tribes and Backward Classes) Regulation of issue of Community Certificates Act, 1993 and pass such other order or orders as are deemed fit and proper.

**Counsel for the Petitioner:MR.C.A.SESHAGIRI RAO.**

**Counsel for the Respondents: GP FOR SOCIAL WELFARE.**

**The Court made the following :**

**ORDER:**

-

This Writ Petition is filed by the petitioner aggrieved by the show cause notice dated 17.02.2005 issued by the 2<sup>nd</sup> respondent proposing to cancel the caste certificate issued to the petitioner.

2. According to the petitioner, the 2<sup>nd</sup> respondent has no jurisdiction under the provisions of Andhra Pradesh (SC,ST &BC) Regulation of Issue of Communicate Certificates Act, 1993. Therefore, the impugned show cause notice issued by the 2<sup>nd</sup> respondent is illegal and without jurisdiction.

3. The learned Government Pleader appearing for the respondents represented that the 2<sup>nd</sup> respondent is not proposing to pass any orders in pursuance to the show cause notice, as he had realized that he has no jurisdiction to pass any orders cancelling the caste certificate, and in fact, it is stated that the relevant papers were being forwarded to the District Collector, who is the competent authority to take necessary action.

4. Heard both sides and considered the material on record.

5. In view of the representation made by the learned Government Pleader that the 2<sup>nd</sup> respondent-Revenue Divisional Officer is not proposing to act upon to the impugned show cause notice, the Writ Petition is disposed of recording the same and observing that the Revenue Divisional Officer is not competent either to issue show cause notice or to act upon the said show cause notice for cancelling the caste certificate.

6. The Writ Petition is disposed of accordingly. No costs.

---

**S. Ananda Reddy, J.**

**Dt. 30..06..2005**

Kvh

To

1. The Mandal Revenue Officer, Shayampet Mandal, Warangal District.
2. The Revenue Divisional Officer, Mulug, Warangal District.
3. Two CCs to the G.P. for Social Welfare, High Court of A.P., Hyderabad (OUT).
4. Two CD copies.