

HONOURABLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION Nos.11594, 11599, 11630, 11638, 11676, 11677
and 11723 of 2014

COMMON ORDER:

Identical impugned orders of the Tahsildar where he rejected the request of the respective petitioners for grant of integrated caste certificate only on the ground that the mother tongue of the applicants is Hindi are questioned in this batch of writ petitions. Each of the petitioners have questioned the said order by these writ petitions on the ground that it suffers from total non application of mind and such a rejection on that ground is made without appreciating that the petitioners are residing in the State from the erstwhile Nizams' from generations and several persons belonging to their community have been granted similar caste certificates. Petitioners' counsel has appended copies of similar certificates granted to the members of the same Caste.

2. The rejection of the community certificate by the Tahsildar under the impugned order apparently is only on the ground that their mother tongue is Hindi. Such a ground, in my view, is wholly unintelligible and contrary to G.O.Ms.No.1793, Education Department, dated 23.09.1990, whereunder the Yadava Community, under which petitioner seeks Certificate, was declared as a recognized backward class community under Group-D at Sl.No.33.

3. Respondent No.3, Tahsildar, therefore, is required to examine the application of each petitioner, on merits, in terms of the said G.O., as to whether the respective applicants satisfies the requirement or not.

4. In view of the fact that similar certificates have been granted to several members of the same community and copies of some of the said certificates are produced along with the writ petitions, I am

constrained to set aside the impugned order. Petitioners also are at liberty to produce such other material including similar certificates before respondent No.3. Respondent No.3 is directed to reconsider the respective applications of the petitioners together with additional material, which they are permitted to file as per the directions above, and pass appropriate orders, on merits, in accordance with law within two months from the date of receipt of a copy of the order.

With the above direction, all the writ petitions are disposed of. Miscellaneous applications pending, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

June 30, 2014
LMV