

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)
TUESDAY, THE NINTH DAY OF JULY
TWO THOUSAND AND TWENTY FOUR



:PRESENT:

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO
WRIT PETITION NO: 14325 OF 2024

Between:

Ranjitha Sahu, D/o Markhondo Sahu, age 18 years, Occ-Student, R/o
Konnaiputtuga, Kanchili Mandal, Srikakulam District.

Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principle Secretary, Tribal Welfare Department, Secretariat, Velagapudi, Amaravathi, Guntur District, A.P.
2. The Collector, Srikakulam District, Srikakulam, A.P.
3. The Revenue Divisional officer, Palasa, Srikakulam District.
4. The Tahsildar, Kanchili Mandal, Srikakulam District, A.P.
5. The Convener, (AP EAPCET-2024), Jawaharlal Nehru Technological University, Kakinada, Kakinada District.
6. The Principal, Government Polytechnic College, Kancharapalem, Visakhapatnam, A.P.

Respondents

WHEREAS the Petitioner above named through his/her Advocate G TUHIN KUMAR presented this 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 issue a Writ, Order or Orders directions more particularly one in nature of Writ of Mandamus, declaring the action of the respondents in not issuing the ST Caste Certificate, Benthoriya to the petitioner despite making the application for issuance as

per the Act and Rules, Andhra Pradesh Schedule Castes, Schedule Tribes and Backward Classes - Issuance of Community, Nativity and Date of Birth Certificates Act and Rules 1997 on 27.04.2024 thereby depriving the academic career as illegal, arbitrary, unconstitutional, contrary to the Provisions of the Andhra Pradesh Schedule Castes, Schedule Tribes and Backward Classes - Issuance of Community, Nativity and Date of Birth Certificates Act and Rules 1997 and consequently direct the respondents to issue the Benthoriya ST Caste Certificate, to the petitioner as per the law;

— AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri G TUHIN KUMAR Advocate for the Petitioner and of GP FOR TRIBAL WELFARE for the Respondent No.1 and of GP FOR REVENUE for the Respondent Nos.2 to 4 and of SRI I.MADHU BABU, Standing Counsel for the Respondent No.5 and of GP FOR EDUCATION for the Respondent No.6, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

— You viz:

1. The Principle Secretary, Tribal Welfare Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi, Guntur District, A.P.
2. The Collector, Srikakulam District, Srikakulam, A.P.
3. The Revenue Divisional officer, Palasa, Srikakulam District.
4. The Tahsildar, Kanchili Mandal, Srikakulam District, A.P.
5. The Convener, (AP EAPCET-2024), Jawaharlal Nehru Technological University, Kakinada, Kakinada District.
6. The Principal, Government Polytechnic College, Kancharapalem, Visakhapatnam, A.P.

are be and hereby directed to show cause either appearing in person or through an Advocate to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted within four weeks.

IA NO: 1 OF 2024 :

Petition under Section 151 of CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents to issue Provisional admission as per Rule 19 of A.P. (SC, ST & BC) Regulation of Issuance of Community Certificate Act, 1993 and Rules 1997 to the petitioner as Benth Oriya Tribe Category(ST) enabling to secure admission into Engineering Course through counseling/ certificate verification scheduled from 01.07.2024 to 10.07.2024 or any other subsequent date for AP EAPCET-2024, Admissions (Engineering) held at Government Polytechnic college, Visakhapatnam, pending disposal of WP No. 14325 of 2024, on the file of the High Court.

The Court made the following ORDER:

“Notice before admission.

Having regard to the orders passed by this Court earlier on 05.06.2019 in I.A.No.1 of 2019 in W.A.No.186 of 2019, there shall be a direction to the respondents to allow the petitioner to appear for Phase-I Web Counseling, which is scheduled to be held between 01.07.2024 to 10.07.2024, under ST Category Benth Oriya community. It is, however, made clear that this interim arrangement is subject to the outcome of the writ petition. It is also made clear that the petitioner shall not claim any equities of the time of adjudication of the issue in the main writ petition.

Post the matter after four weeks for filing counter.

This Court directed Sri B.V.Durga Prasad, appeared on behalf of learned Standing Counsel for the respondent-university, to inform about this order to the concerned respondent.”

//TRUE COPY//

For

Sd/- B. CHITTI JOSEPH
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principle Secretary, Tribal Welfare Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi, Guntur District, A.P. **(by Special Messenger)**
2. The Collector, Srikakulam District, Srikakulam, A.P.
3. The Revenue Divisional officer, Palasa, Srikakulam District.
4. The Tahsildar, Kanchili Mandal, Srikakulam District, A.P.
5. The Convener, (AP EAPCET-2024), Jawaharlal Nehru Technological University, Kakinada, Kakinada District.
6. The Principal, Government Polytechnic College, Kancharapalem, Visakhapatnam, A.P. **(Addresses 2 to 6 by RPAD- along with a copy of petition and affidavit)**
7. One CC to SRI. G TUHIN KUMAR Advocate [OPUC]
8. Two CCs to GP FOR TRIBAL WELFARE, HIGH COURT OF ANDHRA PRADESH AT AMARAVATI. [OUT]
9. Two CCs to GP FOR REVENUE, HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
10. One CC to SRI I.MADHU BABU, Standing Counsel. [OUT]
11. Two CCs to GP FOR EDUCATION, HIGH COURT OF ANDHRA PRADESH AT AMARAVATI. [OUT]
12. **One spare copy**

ER



HIGH COURT

TRRJ

DATED:09/07/2024

POST THE MATTER AFTER FOUR WEEKS

NOTICE BEFORE ADMISSION

WP.No.14325 of 2024

DIRECTION

