

HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MAIN CASE No. W.P.Nos.25452 of 2021

PROCEEDING SHEET

Sl. No.	DATE	ORDER	OFFICE NOTE
01.	01.11.2021	<u>MGR, J</u> <u>W.P.No.25452 /2021</u> Notice before admission. Learned Government Pleader for Social Welfare takes notice for respondents 1 to 4, waives further notice and seeks further time to file counter. Post on 29.11.2021. <u>MGR, J</u> <u>I.A.No.1/2021</u> The petitioner belongs to Benthoriya caste, which is listed as Scheduled Tribe community and appeared for APEAPCET Notification-2021 conducted by JNTU and obtained good rank and with the rank obtained, the petitioner is seeking admission in any of the Engineering Colleges. The counsel for the petitioner states that the petitioner made an application to the Sub Collector, Tekkali, Srikakulam District for issuance of ST certificate, but the authorities, without conducting any enquiry are not issuing the Benthoriya Scheduled Tribe community certificate. The petitioner failed to state when the application is submitted to the authorities and who is the authority to grant such certificate. The affidavit is so	

	casual and bereft of any details. The learned counsel for the petitioner states that the father of the petitioner holds the Benth-Oriya ST certificate and based on the certificate of the petitioner's father, admission is sought. Further, he empathetically states that a Division Bench of this Court on earlier occasion granted interim orders protecting the valuable academic year and the right accrued to the students through the caste certificate issued to the parents. Learned Government Pleader for Social Welfare stoutly opposed for grant of interim order stating that no application is made by the petitioner and without making any application, the petitioner approached this Court for grant of Benth-Oriya ST certificate. If any application is made by the petitioner, the respondents will conduct enquiry and issue a certificate as per the admission rules. Having regard to the above submissions of the counsel for the petitioner and having perused the record, this Court felt that for seeking admission, the petitioner need to obtain a latest Caste Certificate issued by the concerned authorities as per the admission rules. The petitioner herein is claiming admission without obtaining the latest Caste Certificate but is only seeking admission on the strength of the caste certificate issued to the petitioner's father. If any application is made seeking Benth-Oriya ST caste certificate, pending enquiry with	
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		regard to issuance of Benthoriya Caste Certificate, the competent authority may communicate the same to admission authorities to give admission as per Rule 19 of the Andhra Pradesh (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Rules, 1997. Such situation has not arisen here in this Writ Petition, since there is no application made by the petitioner seeking Benthoriya ST caste certificate and enquiry is pending. Hence, the order passed in W.A.No.186 of 2019 has no help to the petitioner's case. Thus, <i>prima facie</i>, this Court is of the opinion, that the petitioner is not entitled for grant of any interim relief. Accordingly, I.A.No.1/2021 is dismissed. MGR,J Note: Issue CC tomorrow B/o CSR	
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