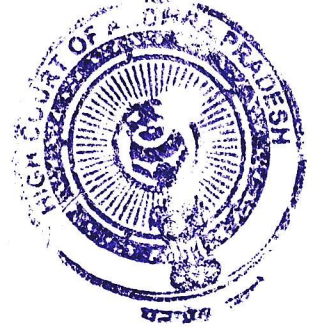


**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

WEDNESDAY, THE THIRD DAY OF DECEMBER,
TWO THOUSAND AND TWENTY FIVE

**:PRESENT:
HONOURABLE SRI JUSTICE NYAPATHY VIJAY**

WRIT PETITION NO: 33595 OF 2025



Between:

Nethi Thimmaiah Gari Subbarayudu, S/o. N.T. Subbaiah, Aged about 57 years, Occ: Senior Sanitary Inspector, GIS. No. 12087, O/o. The Health Office, T.T.D. Tirumala, Tirupati District, A.P.

Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Endowments Department (Revenue), Secretariat Buildings, Velagapudi, Amaravati, Guntur District, A.P.
2. Tirumala Tirupati Devasthanams, Rep. by its Executive Officer, Tirupati, Tirupati District, A.P.
3. The Joint Executive Officer / Disciplinary Authority, O/o. The Executive Officer, Tirumala Tirupati Devasthanams, Tirupati, Tirupati District, A.P.
4. The Chief Vigilance and Security Officer, Tirumala Tirupati Devasthanams, Tirupati, Tirupati District, A.P.

Respondents

Petition under Article 226 of the Constitution of India, is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ, Order or direction, more particularly one in the nature of Writ of Mandamus declaring the Enquiry Report dated 28.02.2025 submitted to Respondent No.3 and issuance of Article of Charges vide Roc.

No. DA4/18021(31)/50/2025, Dated 13.08.2025 of Respondent No.2 pending DLSC Proceedings is illegal, arbitrary, against principles of natural justice and in violation to the Article 14, 16, 1 and 311 (2) of the Constitution of India and consequently set aside the Enquiry Report dated. 28.02.2025 submitted to Respondent No.3 and Article of Charges vide Roc. No. DA4/18021 (31)/50/2025, Dated 13.08.2025 issued by Respondent No.2;

IA NO: 1 OF 2025

Petition under Section 151 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 respondent authorities to stay all further proceeding in connection to the Article of Charges vide Roc. No. DA4/18021(31)/50/2025, Dated 13.08.2025 pending disposal of the Writ Petition;

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri. J UGRANARASIMHA, Advocate for the Petitioner and of GP FOR SERVICES II for the Respondent No.1 and of Sri. C. SRINIVASA BABA, STANDING COUNSEL, for the Respondent Nos. 2 to 4;

The Court made the following ORDER:

The Writ Petition is filed questioning the Article of Charge dated 13.08.2025 issued by the Respondent No.3 alleging that the Petitioner had produced fake Caste Certificate and false Local Residence Certificate to acquire the job in TTD as Sanitary Inspector under BC-D (Yadava) category though he belongs to OC (Balija) Community.

Learned counsel for the Petitioner submits that the Petitioner was appointed in the year 1994 as Sanitary Inspector, and subsequently, he was promoted to Senior Sanitary Inspector. Learned counsel further submits that the issue regarding the Community Certificate has to be determined only by the Statutory Authority under the Andhra Pradesh

(Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act, 1993 (for short, 'Act 16 of 1993') and not in the Departmental Enquiry, as the Act is exclusively for the determination of these aspects and there cannot be any enquiry on that aspect.

Sri S. Srinivasa Baba, learned Standing Counsel, submits that a preliminary inquiry was conducted by the Chief Vigilance and Security Officer, and it came to the notice of the Respondent Authorities that the parents of the Petitioner do not belong to the BC Community, and on that basis, a Departmental Enquiry was initiated against the Petitioner.

Heard the respective counsel. ✓

The issue of determination of Caste Certificates is an exclusive domain of the statutory authorities prescribed under the Andhra Pradesh (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act, 1993, and prima facie there cannot be a Departmental Enquiry on that aspect. ✓

Therefore, there shall be an interim stay of all further proceedings pursuant to the impugned Charge Memorandum dated 13.08.2025 issued by the Respondent No. 2. The Respondents are at liberty to take steps for expeditious determination of Caste Certificate of the Petitioner under Act 16 of 1993. ✓

Post on 31.12.2025 for filing Counter Affidavit by the Respondents.

//TRUE COPY//

SD/- K. KASIRAO ACHARI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Endowments Department (Revenue), The State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Amaravati, Guntur District, A.P. (by SPECIAL MESSENGER)

2. The Executive Officer, Tirumala Tirupati Devasthanams, Tirupati, Tirupati District, A.P.
3. The Joint Executive Officer / Disciplinary Authority, O/o. The Executive Officer, Tirumala Tirupati Devasthanams, Tirupati, Tirupati District, A.P.
4. The Chief Vigilance and Security Officer, Tirumala Tirupati Devasthanams, Tirupati, Tirupati District, A.P. (Addressee Nos. 2 to 4 BY RPAD)
5. One CC to Sri. J UGRANARASIMHA, Advocate [OPUC]
6. One CC to Sri. C. SRINIVASA BABA, STANDING COUNSEL [OPUC]
7. Two CCs to GP FOR SERVICES II, High Court Of Andhra Pradesh. [OUT]
8. One spare copy

JSS

HIGH COURT

VN, J

DATED:03/12/2025

**POST ON 31.12.2025 FOR FILING COUNTER AFFIDAVIT BY THE
RESPONDENTS.**

ORDER

WP.No.33595 of 2025

INTERIM STAY

