

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 27TH DAY OF JUNE, 2001.

BEFORE:

THE HON'BLE MR.JUSTICE R. GURURAJAN

WRIT PETITION NO. 5890 OF 2000 (GM/CC)

BETWEEN:

1. H.R.Javaraya,  
S/o late H.Rangappa,  
aged about 50 years,  
presently working as  
Conductor in KSRTC,  
Hassan Depot,  
Hassan Division,  
Hassan District.

2. Kum. H.J.Saraswati,  
D/o H.R.Javaraya,  
aged about 25 years.

3. H.J.Rajashekar,  
S/o H.R.Javaraya,  
aged about 23 years.

Petitioners 2 and 3 are  
r/at Torenur village,  
Somwarpet Taluk,  
Kodagu Dist.

... PETITIONERS

(By Sri K.Nageshwarappa, Advocate.,)

A N D:

1. State of Karnataka,  
represented by its Secretary,  
Department of Revenue,  
M.S.Building,  
Bangalore-560 001.

2. Tahasildar,  
Somwarpet Taluk, Somwarpet,  
Kodagu District.

... RESPONDENTS

(By Smt. Shoba Patil, HCGP.,)

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This Writ Petition filed under Articles 226 and 227 of the Constitution of India, praying to quash wide Ann.B Dt. 11.10.94 issued by R2 as illegal and direct the R2 to issue a Caste Certificate to the petitioners in Form No.1 in the category of Schedule Tribe etc.,

This writ petition coming on for prely., hearing this day, the Court made the following:

ORDER

O R D E R

The petitioner in this petition is challenging an endorsement at Annexure-B, dated 11.10.1994 bearing No.JATI:9:92-93, issued by the second respondent, on various grounds.

2. Heard the learned Counsel for the Petitioner.

On the last occasion, after hearing for some time, the learned Counsel had sought time to file <sup>an</sup> ~~the~~ additional affidavit explaining the delay in approaching this Court. Today, no additional affidavit as such is filed by the petitioner.

3. In the circumstances, I have no option but to decide the case on the materials already placed before this Court. The petitioner in the case on hand is challenging admittedly an endorsement dated 11.10.94, issued by the Respondent No.2, Tahasildar, in the matter of Caste Certificate. The petition is admittedly

*DJ*

filed on 8.2.2000. There is more than six years' delay in approaching this Court. No acceptable explanation is forth coming as to why this enormous delay has been caused in approaching this Court by the petitioner.

4. In the absence of any acceptable explanation for delay, this petition is rejected only on the ground of delay and laches.

Sd/- JUDGE

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