

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 22ND DAY OF FEBRUARY 2016

BEFORE

THE HON'BLE MR.JUSTICE ASHOK B. HINCHIGERI

WRIT PETITION NO.54015/2015
& WRIT PETITION Nos.7738-7741/2016(GM-CC)

BETWEEN:

1. VASUDEVA
S/O LATE DASAPPA DAS,
AGED ABOUT 57 YEARS,
2. LAKSHMI
W/O VASUDEVA,
AGED ABOUT 51 YEARS,
3. VIJETH KUMAR
S/O VASUDEVA,
AGED ABOUT 28 YEARS,
4. CHARANRAJ
S/O VASUDEVA,
AGED ABOUT 26 YEARS,
5. CHANDRAKANTH
S/O VASUDEVA,
AGED ABOUT 22 YEARS,

ALL ARE R/AT NO.3-110/50,
SHIVAJI NAGAR,
PANDITH HOUSE,
PERMANNUR POST & VILLAGE,
MANGALORE – 575 017,
DAKSHINA KANNADA.

... PETITIONERS

(BY SRI: GAJENDRA C., ADVOCATE)

AND:

1. THE DEPUTY COMMISSIONER,
MANGALORE SUB-DIVISION,
MANGALORE TALUK,
DAKSHINA KANNADA - 575 001.
2. THE ASSISTANT COMMISSIONER,
MANGALORE SUB-DIVISION,
MANGALORE - 575 001.
3. THE TAHSILDAR,
MANGALORE TALUK,
MANGALORE - 575 001. ... RESPONDENTS

(BY SRI: C. JAGADEESH, SPL. GOVT. ADVOCATE)

THESE WRIT PETITIONS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE RESPONDENTS TO CONSIDER THE REPRESENTATION MADE BY THE PETITIONER NO.1 TO 5 PRODUCED AT ANNEX-A, B, C, D AND E AND FURTHER TO ISSUE CASTE CERTIFICATE IN FAVOUR OF THE PETITIONERS THAT THE PETITIONERS BELONG TO CHENNA DASAR CASTE WHICH COMES UNDER THE CATEGORY OF SCHEDULED CASTE AND ETC.,

THESE WRIT PETITIONS ARE COMING ON FOR PRELIMINARY HEARING THIS DAY, THE COURT MADE THE FOLLOWING:

ORDER

Sri C.Jagadeesh, the learned Special Government Advocate is directed to take notice for the respondents.

2. The grievance of the petitioners is that when they went to the Office of the third respondent to submit the representations for the issuance of caste certificate showing

that they belong to 'Chennadasar', one of the enumerated Scheduled Castes, the Tahasildar was not prepared to receive the same, much less to consider them, so submits Sri Gajendra.

3. Sri C.Jagadish, learned counsel for the respondents denies the allegation that the Tahasildar was not prepared to receive the representations at Annexures – A to E. He submits that assuming that the Tahasildar refused to receive the same, it was open to the petitioners to send the same by registered post or by courier service.

4. On hearing the learned advocates, I dispose of these petitions with a direction to the petitioners to submit the said representations at Annexures – A to E to the Tahasildar within one week from the date of the issuance of the certified copy of today's order. The Tahasildar shall receive the same and determine the caste status of the petitioners following the guidelines issued by the Apex Court in the case of **KUMARI MADHURI PATIL AND ANOTHER v. ADDL. COMMISSIONER, TRIBAL DEVELOPMENT AND OTHERS**

reported in **AIR 1995 SC 94** and any other applicable decisions, which may be cited by both the parties herein. The Tahasildar shall hold the enquiry in accordance with law and dispose of the anticipated representations as expeditiously as possible and in any case within an outer limit of four months from the date of their filing. No order as to costs.

**Sd/-
JUDGE**

PSG*