

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 15<sup>TH</sup> DAY OF FEBRUARY 2019

BEFORE

THE HON'BLE MR. JUSTICE ALOK ARADHE

WRIT PETITION NO.41044 OF 2016 (GM-CC)

**BETWEEN:**

SHIVAKUMAR P  
S/O D PETER FRANCIS  
AGED 55 YEARS  
WORKING AS  
ASSISTANT GENERAL MANAGER  
AIR CRAFT RESEARCH DESIGNING CENTRE  
MARATHHALLI POST BANGALORE - 37

... PETITIONER

(By Mr. MAHESH L ADV.,)

**AND:**

1. THE ADDL. DIRECTOR  
GENERAL OF POLICE  
DIRECTORATE OF CIVIL  
RIGHTS ENFORCEMENT  
KOLAR UNIT  
KOLAR - 563101.
2. THE DEPUTY SUPERINTENDENT  
OF POLICE  
DIRECTORATE OF CIVIL  
RIGHTS ENFORCEMENT  
KOLAR UNIT GALPET  
KOLAR - 563101.

... RESPONDENTS

(By Mr. C JAGADISH SPL ADV., FOR R1 & R2  
Mr. N.S. NARASIMHAMURTHY ADV., FOR R3 (ABSENT))

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THIS WRIT PETITION IS FILED UNDER ARTICLES 226 &  
227 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE

NOTICE DTD. 22.7.2016 ISSUED BY THE R-W VIDE ANNEX-E AND ETC.,

THIS WRIT PETITION COMING ON FOR *PRELIMINARY HEARING IN 'B' GROUP* THIS DAY, THE COURT MADE THE FOLLOWING:-

**ORDER**

Mr.Mahesh L., learned counsel for the petitioner.

Mr.C.Jagadish, learned Special counsel for respondent Nos.1 & 2.

2. The writ petition is admitted for hearing. With consent of the parties, the same is heard finally.

3. In this petition, the petitioner has prayed for the following reliefs:

(i) ISSUE a writ, order or direction, in the nature of certiorari, quashing the Notice dated 22.7.2016 Vide No. Ja Vi/15/Na A Ja Ni/Ko/15 issued by the Respondent No.2 produced at Annexure-E;

(ii) PASS such other order/orders as this Hon'ble Court deems fit, in the facts and

circumstances of the case, including an order as to costs, in the interests of justice and equity.

4. When the matter was taken up today, learned counsel for the petitioner submitted that the social status certificate in favour of the petitioner was issued by the Tahsildar, Tiruchinapalli in the State of Tamil Nadu. However, The Director of civil rights enforcement has issued the impugned notice for conducting an enquiry. It is further submitted that the aforesaid authority has no jurisdiction to conduct the enquiry as the caste certificate has been issued in favour of the petitioner by Tamil Nadu.

5. Learned Special Government Advocate was unable to point out any provision, under which the aforesaid authority has no jurisdiction.

6. I have considered the submissions made by the parties. Taking into account the fact that the social status certificate has been issued in favour of the petitioner by Tamil Nadu Tiruchinapalli in the State of

Tamil Nadu has no jurisdiction, to investigate the genuineness of the aforesaid certificate. Accordingly, the impugned notice dated 22.07.2016 is hereby quashed with a liberty to the competent authority to take action against the petitioner if so advised in accordance with law.

Accordingly, the petition is disposed of.

**Sd/-  
JUDGE**

SS