IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

WEDNESDAY, THE FIFTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HON'BLE THE ACTING CHIEF JUSTICE SUJOY PAUL
AND
THE HON'BLE SMT.JUSTICE RENUKA YARA

TAKEN UP WRIT PETITION (PIL) NO: 9 OF 2023

Between:

Sri Narayana Sambarapu,
(Retired Manager, Finance, BHEL,
226, BHEL MIG(old), Ramachandrapuram,
Hyderabad – 502 032.
Cell No. 8897005712
Email: narayanasambarapu@gmail.com.

....Petitioner

And

1. The State of Telangana, represented by its Chief Secretary, Secrctariat, Hyderabad.
2. The State of Telangana, represented by its Principal Secretary, School Education Department, Secretariat, Hyderabad.
3. The Director of School Education, Saifabad, Hyderabad – 500 004.

.....Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ, Direction or an Order more particularly one in the nature of Writ of Mandamus to call for records and remarks from the Respondents herein to see that the school education records of the students were free of "Caste" information, at the time of admission, no action has been taken by the

authorities concerned. It is further stated by the applicant that the students are being asked information relating to their castes at the time of admission into the school and this information subsequently forms part of the record in the student's Transfer Certificate (T.C) at the time of leaving the school, that the T.C of the student is branded with a "caste" permanently, whether the student likes or not that whenever the T.C is presented before any authority or entity for the purpose of job or any other business and his caste is made public, sometimes to the utter disadvantage of that person, the individual's privacy is being breached and there is no use to the Education Department by the information obtained regarding caste. In view of the same, some are even demanding "No Caste Certificate." If caste certificate is required by the people they can get it from the designated authority and the Transfer Certificate is not a valid caste certificate and there is no legal requirement to have caste information in the School Education Records. In addition to the issue of privacy, the individual's dignity and other matters which affect that person adversely at times have been explained in detail in the representation to the Department. It is felt that this measure of school education records being free of caste information will help in lessening the rigorousness of the caste system by loosening the shackles to some extent. Any slackening of caste system, however small it may be is a welcome development. The caste system divides people into watertight compartment called "caste" and it arranges the castes into a system of hierarchy, labelling some castes as upper and some as lower, thus making it impossible for people to live a life of equality for all; that those who belong to lower caste, were frequently subjected to discriminatory treatment and made to undergo visible and invisible mental harassment; a slow awakening is taking place among people who do not want to be identified with castes, as it put the majority of the population at a lower level. Hence, this Hon'ble Court may be pleased to issue necessary directions to the Respondents herein not to record any caste information of the students at the time of admission in to the Schools and not to record the information in Transfer Certificates (TCs) to avoid caste discrimination and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner : Letter By Sri Narayana Sambarapu
Counsel for the Respondents : SRI MOHD.IMRAN KHAN, ADDL.ADV GENERAL
The Court made the following: ORDER

THE HON'BLE THE ACTING CHIEF JUSTICE SUJOY PAUL

AND

THE HON'BLE SMT. JUSTICE RENUKA YARA

TAKEN UP WRIT PETITION (PIL) No.9 of 2023

ORDER: *(Per the Hon'ble the Acting Chief Justice Sujoy Paul)*

This letter petition is taken-up.

Sri Mohd.Imran Khan, learned Additional Advocate General for the State of Telangana, submits that in the letter petition, it is prayed that in the school leaving certificate, there should be a column to enable the candidate to mention 'no caste or religion'. It is submitted that the point involved in the present petition is no more *res integra* and has been considered recently in WP (PIL) No.66 of 2017, dated 21.10.2024.

2. In the said order, the Co-ordinate Bench of this Court has considered the prescribed Transfer Certificate and the prescribed Form i.e., ANNEXURE I. In para No.23 of the order, it is recorded as under:

> "From perusal of paragraph 12 of the counter affidavit filed on behalf of the respondent No.5, it is evident that it is the stand of the School Education Department that the petitioners are at liberty to mention no caste and no religion in an appropriate column and for not mentioning the details of religion and caste, admission will not be denied to a child. In view of the stand taken by the School Education Department, it is not necessary for us to issue any direction in this public interest litigation."

3. On the strength of this para, learned Additional Advocate General submits that it is open to the parents of the candidates not to mention the caste and religion and no directions are required to be issued.

4. In view of the aforesaid order of the Co-ordinate Bench and the submission of learned Additional Advocate General, we find no reason to issue any direction in the present petition.

5. Accordingly, the Writ Petition is **disposed of**. No costs. Interlocutory applications, if any pending, shall also stand closed.

SD/-T. JAYASREE
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. Sri Narayana Sambarapu, (Retired Manager, Finance, BHEL, 226, BHEL MIG (Old), Ramachandrapuram, Hyderabad-502 032.
2. Two CCs to ADDITIONAL ADVOCATE GENERAL, High Court for the State of Telangana at Hyderabad. [OUT]
3. Two CD Copies.

BSK

BS

HIGH COURT

DATED:05/02/2025

ORDER

TUWP(PIL).No.9 of 2023



DISPOSING OF THE TAKEN UP WRIT PETITION (PIL) WITHOUT COSTS

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S. K
28/2/25