

State of Andhra Pradesh & Others

v.

T. Muralidhar Rao & Another

(Supreme Court Of India)

HON'BLE CHIEF JUSTICE MR. K.G. BALAKRISHNAN HON'BLE MR. JUSTICE J.M. PANCHAL HON'BLE DR. JUSTICE B.S. CHAUHAN

State of Andhra Pradesh & Others v. T. Muralidhar Rao & Another

Civil Appeal No. 2628-37 Of 2010 With No. 2638-39 Of 2010 | 25-03-2010

1. The decision of the Full Bench of the High Court of Andhra Pradesh is challenged before us.
2. Heard learned Attorney General for India and also Mr. Harish Salve, learned Senior Counsel for the respondents.
3. The Act passed by the Andhra Pradesh Legislature giving 4% reservation to Group E of the Backward Classes was challenged before the High Court and the same was struck down by the High Court on various counts.
4. As several constitutional issues are involved in these appeals, as an interim measure, we direct that for the time being, reservation of 4% be extended first to the 14 categories mentioned in the Schedule appended to the Andhra Pradesh Reservation in Favour of Socially and Educationally Backward Classes of Muslims Act, 2007 (26 of 2007), excluding the creamy layer. This is a temporary measure till the matter is finally decided.
5. These matters are referred to the Constitution Bench to be listed in the second week of August, 2010 along with CA No.7513 of 2005 for appropriate directions.

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