



W.P.(MD)Nos.9394 and 14258 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date of Reserving the Order	Date of Pronouncing the Order
18.06.2026	08.07.2026

CORAM :

THE HONOURABLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY**W.P.(MD)Nos.9394 and 14258 of 2026****and****W.M.P.(MD)No.7519, 10674 and 10676 of 2026**W.P.(MD)No.9394 of 2026:-

S.Kayalvizhi

... Petitioner

Vs

1. State rep by, The Chief Secretary,
Government of Tamil Nadu,
St. George Fort,
Chennai-600009.
2. The Principal Secretary,
Public Department,
Government of Tamil Nadu,
St.George Fort,
Chennai-600009.
3. The Principal Secretary,
Adidraavidar Welfare Department,
Government of Tamil Nadu,
St.George Fort,
Chennai-600009.



W.P.(MD)Nos.9394 and 14258 of 2026

4. The Managing Director,
TAHDCO,
31, Cenotaph Road,
2nd Lane, Teynampet,
Chennai- 600018.

5. The Chief Engineer,
TAHDCO,
31, Cenotaph Road,
2nd Lane,
Teynampet,
Chennai- 600018.

6. The Executive Engineer,
TAHDCO Madurai Division,
Race Course,
E.B. Office Road,
Madurai – 625002.

7. K.S.Kandasamy IAS,
Managing Director,
TAHDCO,
31, Cenotaph Road,
2nd Lane, Teynampet,
Chennai-600018

8. Anbu Devakumari,
Chief Engineer,
TAHDCO,
31, Cenotaph Road, 2nd Lane,
Teynampet, Chennai- 600018.

9. K.Natarajan,
Present Executive Engineer,
Coimbatore Division,
Govt. Boys Hostel Compound,
Dr. Balasundaram Road,
Coimbatore-641018.

10. C.A.Ashok Kumar,

Page No.2 of 18



W.P.(MD)Nos.9394 and 14258 of 2026

Standing Counsel,
TAHDCO, 31, Cenotaph Road,
2nd Lane, Teynampet,
Chennai- 600018

11.Moorthy,
Executive Engineer,
Madurai Division,
Race Course, E.B. Office Road,
Madurai - 625002.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to conduct a proper and fair enquiry based on the petitioner's representation dated 18.12.2025, for the illegal acts of harassment committed against the petitioner by the respondents 4 to 6 during their tenure in offices and further direct the respondents 7 to 10 to pay the petitioner compensation from their salaries, towards the loss of petitioner's livelihood caused due to their unlawful actions.

For Petitioner : Mr.A.Kannan

For R1 to R3 : Ms.P.Sudarkodi Nachiar
Standing Counsel

For R4 to R6 : Mr.SS.Madhavan
Standing Counsel

W.P.(MD)No.14258 of 2026:-

S.Kayalvizhi

... Petitioner

Vs.

1. The Principal Secretary,
Adi Dravidar and Tribal Welfare Department,
Government of Tamil Nadu,
Fort St. George,
Chennai-600009.

2. The Managing Director,

Page No.3 of 18



W.P.(MD)Nos.9394 and 14258 of 2026

TAHDCO,
31, Cenotaph Road,
2nd Lane, Teynampet,
Chennai- 600018.

3. The Chief Engineer,
TAHDCO,
31, Cenotaph Road,
2nd Lane,
Teynampet,
Chennai- 600018.
4. The Executive Engineer,
TAHDCO Madurai Division,
Race Course,
E.B. Office Road,
Madurai – 625002.
5. K.S.Kandasamy IAS,
Managing Director,
TAHDCO,
31, Cenotaph Road,
2nd Lane, Teynampet,
Chennai-600018
6. Anbu Devakumari,
Chief Engineer,
TAHDCO,
31, Cenotaph Road,
2nd Lane,
Teynampet,
Chennai- 600018.
7. Moorthy,
Executive Engineer,
Madurai Division,
Race Course,
E.B. Office Road,
Madurai - 625002.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, to



W.P.(MD)Nos.9394 and 14258 of 2026

issue a Writ of Certiorarified Mandamus, calling for the records relating to the ultimate Impugned Orders passed by the second respondent viz. Letter No.C/013771/2025/ OO. PO/ dated 15.05.2026 (cancelling the Petitioner's contractor registration) and Letter No.1600-1 & 2/2026/Vaa.Pi, dated 15.05.2026 (cancelling the Petitioner's site Work Orders for Serial Nos.106 and 110) issued by the fourth respondent and quash the same and also directing the first respondent to conduct a high-level independent and time-bound disciplinary enquiry into the systemic harassment, extortionate commission demands, and illegal administrative acts committed against the petitioner by the respondents 5 to 7 based on the petitioner's representation dated 18.12.2025 and further directing the respondents 5 to 7 to pay exemplary financial compensation to the petitioner, recovered directly from their personal salaries, for the severe mental agony, humiliation, loss of professional reputation, and destruction of livelihood suffered by the petitioner due to their unconstitutional and malicious actions.

For Petitioner : Mr.A.Kannan

For R1 : Ms.P.Sudarkodi Nachiar
Standing Counsel

For R2 to R4 : Mr.SS.Madhavan
Standing Counsel

COMMON ORDER

These two Writ Petitions are connected to each other and, as such, are disposed of by this common order.

2. Writ Petition (MD) No.9394 of 2026 was filed seeking a Writ of Mandamus directing the respondents 1 to 3 to conduct a proper and fair enquiry based on the petitioner's representation dated 18.12.2025.



W.P.(MD)Nos.9394 and 14258 of 2026

3. The grievance of the petitioner is that she is a Scheduled Caste contractor registered with the fourth respondent, namely THADCO. The officials had developed inimical feelings towards the petitioner and had been harassing the petitioner in various ways. No new contracts were allotted to the petitioner. Even with reference to existing contracts, they were constantly interfering with and harassing the petitioner. Therefore, the petitioner had made a representation to the Government seeking further enquiry into the matter. Since no action was taken, the writ petition was filed.

4. Essentially, it can be seen that, when the authorities made enquiries regarding the community certificate of the petitioner, the petitioner's case was that, on two earlier occasions, the certificate had been certified as genuine during a Police enquiry conducted before the Deputy Superintendent of Police and upon verification with the revenue authorities. Despite the same, the respondent authorities continued to entertain doubts regarding the genuineness of the certificate. Aggrieved by the same, the petitioner claimed to have been harassed and consequently, filed the present writ petition.

5. However, pending the above writ petition, on 15.05.2026, the petitioner's registration as a contractor with the fourth respondent stood



W.P.(MD)Nos.9394 and 14258 of 2026

cancelled, and consequently, by another order dated 15.05.2026, the work order granted to the petitioner for the particular contract was also cancelled on the ground that the petitioner's community certificate is not genuine and that the petitioner does not belong to the scheduled caste. Challenging the same, W.P. (MD)No.14258 of 2026 is filed.

6. The crux of the submissions made by the learned counsel for the petitioner is that when a doubt arose regarding the genuineness of the community certificate, the Tahsildar, Madurai North taluk, in his communication dated 06.05.2026, confirmed that the petitioner was granted the community certificate dated 14.11.2023 as Devendra Kula Velalar through the online process. The Deputy Superintendent of Police, once again, confirmed the genuineness of the certificate in the enquiry conducted by him. Therefore, there was no occasion for the respondents to raise the issue again, and the same was done only with a vindictive and *mala fide* intention. The Community Certificate was rightly issued to the petitioner, and throughout, the petitioner was treated only as a scheduled caste candidate, even while pursuing her education.

7. Per contra, the learned counsel appearing on behalf of the fourth respondent / TAHDCO would submit that they received complaints from other



W.P.(MD)Nos.9394 and 14258 of 2026

contractors. It was stated that they were threatened by the petitioner's husband.

The contractors further alleged that the community certificate issued to the petitioner is not genuine. In these circumstances, a communication dated 07.04.2026 was addressed to the Revenue Tahsildar, Madurai North, seeking verification of the genuineness of the community certificate issued to the petitioner. As per the records available, the petitioner belonged to the Hindu Maravar caste, which is not a Scheduled Caste. In fact, in earlier documents, including those submitted to the Registrar of Marriages at the time of registration of the petitioner's marriage, she described herself as belonging only to the Hindu Maravar caste. After marriage to C.Selvakumar, who belonged to the Hindu Devendrakula Velalar, a Scheduled Caste, the petitioner also wrongly represented herself as belonging to the Scheduled Caste, and the certificate seems to have been obtained.

8. The Chief Engineer of the fourth respondent also issued a communication to the petitioner on 13.04.2026, requiring her to produce the following: the Community Certificate; the School Transfer Certificate; the College Transfer Certificate; and the Community Certificate of her siblings. The respondents had received a communication from the Tahsildar, Paramakudi, dated 27.04.2026, confirming that the petitioner was originally born into the Hindu Maravar caste and, as such, does not belong to the Scheduled Caste



community. She married Selvakumar, who belonged to the Scheduled Caste community, in an inter-caste marriage.

9. Thereafter, a detailed enquiry seems to have been conducted by the Tahsildar, Madurai North, and a reply was issued on 06.05.2026. While the reply confirms that the Community Certificate is not forged and is issued only by the appropriate authority, it also confirms that it was obtained by citing marriage to a person belonging to the Scheduled Caste community. The petitioner actually belonged to and was born in the Hindu Maravar Caste, which is only in the list of backward classes and not a Scheduled Caste. Under these circumstances, a show-cause notice was also issued to the petitioner on 13.04.2026, and she was given an opportunity to prove the correctness of her community. After considering all the documents on record and the submissions made on her behalf, the impugned orders dated 15.05.2026 was passed.

10. By the said order, the registration of the petitioner as a contractor was ordered to be cancelled. It was ordered that wherever work orders have been issued in respect of the contractor, the same should be cancelled, and no new work order or contract should be awarded to the petitioner. It is the submission that, as per G.O.(Ms)No.132, Adi Dravidar and Tribal Welfare Department, dated 15.07.1997, with reference to the contracts under the third and fourth Page No.9 of 18



W.P.(MD)Nos.9394 and 14258 of 2026

respondents, registration and award shall be made only to the persons belonging to the Scheduled Caste community. As per the judgment of the Hon'ble Supreme Court of India in **Anjan Kumar vs. Union of India and others**¹, scheduled caste status cannot be acquired through marriage. The same is also made clear in the manual published by the Government of Tamil Nadu, vide G.O.(Ms)No.104, Adi Dravidar and Tribal Welfare (CV-1) Department, dated 21.08.2023.

11. I have considered the rival submissions of both sides and perused the material records of the case. There can be no two opinions on the proposition that granting a Scheduled Caste community certificate and the benefits flowing therefrom to a person, who is not entitled thereto, is a constitutional fraud and would affect another meritorious reserved candidate to whom the benefit should have gone. In **Kumari Madhuri Patil vs. Addl. Commissioner, Tribal Development and others**², upon finding that there was no robust mechanism for verification and cancellation of the community certificates, the Hon'ble Supreme Court of India ordered the constitution of District Level and State Level committees for verification of the status. Pursuant thereto, periodic Government Orders are also issued by the Government of Tamil Nadu, and currently, the entire process of issuance, cancellation, etc., is consolidated and published as a

¹(2006) 3 SCC 257

²(1994 (6) SCC 241
Page No.10 of 18



W.P.(MD)Nos.9394 and 14258 of 2026

manual vide G.O.(Ms)No.104, Adi Dravidar and Tribal Welfare (CV-1)

Department, dated 21.08.2023.

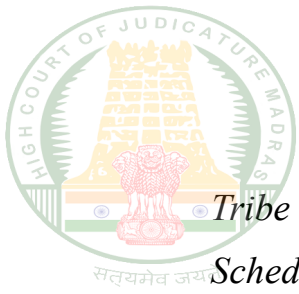
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12. It is the case of the respondents that the petitioner belonged to the Backward Community (Hindu Maravar) and not the scheduled caste community (Devendra Kula Velalar). Upon marrying her husband, namely Selvakumar, who belongs to the Scheduled Caste community - Devendra Kula Velalar, it is alleged that, on the strength of the marriage, she obtained a scheduled caste community certificate and thereafter, pursued her education on the strength of the said community certificate and also registered as a contractor. In this regard, the question is no longer *res integra* and has been repeatedly held by this Court and the Hon'ble Supreme Court of India that persons cannot acquire Scheduled Caste status through marriage. A useful reference in this regard is the judgment of the Hon'ble Supreme Court of India in **Anjan Kumar's** case (cited *supra*), more specifically paragraphs 13 and 14 of the judgment.

13. The legal position is encapsulated and reiterated in Clause 3.4 of the Manual published by the Government of Tamil Nadu, and the same is extracted hereunder for ready reference:

"3.4. Claims through Marriage.-

A person who is a member of a Scheduled Caste or a Scheduled



W.P.(MD)Nos.9394 and 14258 of 2026

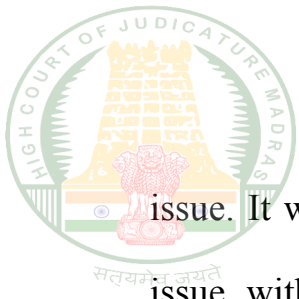
Tribe would continue to be a member of that Scheduled Caste or Scheduled Tribe as the case may be, even after his marriage with a person who does not belong to a Scheduled Caste or a Scheduled Tribe.

However, no person, who was not a Scheduled Caste or a Scheduled Tribe by birth will be deemed to be a member of a Scheduled Caste or a Scheduled Tribe merely because he had married a person belonging to a Scheduled Caste or a Scheduled Tribe."

14. Thus, if the respondents are of the opinion that the certificate is issued only on account of marriage, the proceedings initiated to verify the correctness cannot be thwarted or doubted on the ground of *mala fide* intention.

15. The second contention is that the genuineness has already been confirmed by the Tahsildar as well as the Deputy Superintendent of Police. A careful perusal of the two communications shows that the community certificate produced by the petitioner is not forged and was actually issued by the competent authority. Therefore, the said proceedings cannot be treated as if the petitioner's Scheduled Caste status had been verified and approved. As a matter of fact, verification of Scheduled Caste status, the correctness of the issuance of the Scheduled Caste Certificate, and its cancellation are to be carried out by the District Level and State Level Committees constituted as per law. In view of the same, I do not find any illegality whatsoever in the respondents taking up the

Page No.12 of 18



W.P.(MD)Nos.9394 and 14258 of 2026

issue. It would be the constitutional duty of everyone concerned to take up the issue with utmost alacrity and to verify the correctness of the community certificate whenever a genuine doubt arises.

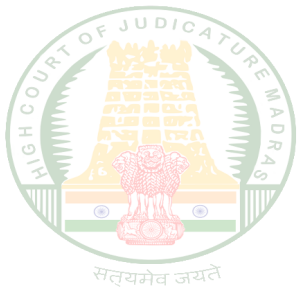
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16. In view of the same, let the process of scrutinizing and verifying the scheduled caste status of the petitioner be taken up by the District Level Committee as expeditiously as possible, in accordance with due procedure, and appropriate final orders be passed.

17. The further question that arises in the instant case is, whether the registration of the petitioner as a contractor belonging to the scheduled caste can be cancelled and whether the work orders already issued can be cancelled. The matter is no longer *res integra*. The Hon'ble Supreme Court of India in **Collector, Bilaspur vs. Ajit P.K. Jogi and others**³, has already held that such verification and cancellation must be done by the appropriate committee constituted pursuant to the directions issued by the Hon'ble Supreme Court of India in **Kumari Madhuri Patil's** case [cited *supra*], and further action can be taken only pursuant to that decision. In **R.Kandasamy vs. Chief Engineer, Madras Port Trust**⁴, the Hon'ble Supreme Court of India held that the community certificate should be held valid until cancelled.

³(2011) 10 SCC 357

Page No.13 of 18



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18. In view thereof, the respondents erred in finally cancelling the registration of the petitioner by concluding about the scheduled caste status by themselves. Therefore, the impugned orders dated 15.05.2026, cancelling the registration and cancelling the work orders already granted, cannot stand. However, it cannot be said that the respondents will be powerless until the verification process is complete. Considering the *prima facie* case, it will be open for them to make such interim decisions. In the instant case, this Court is of the opinion that the registration of the petitioner as a contractor shall be on record until the verification and final orders are passed on the community certificates. Let the works already awarded to the petitioner be performed by her, and work orders in respect of such contracts already awarded be granted to her, and she can be permitted to complete the works. However, it would be very well open to the respondents not to award any fresh contract until the issue is decided, considering the *prima facie* case on hand. In this regard, it would be open for them to pass such an order.

19. In the result, these writ petitions are ordered on the following terms:

- (i) Within one week from the date of receipt of the web copy of the order, the respondents 4 to 6 shall make a communication to the third



W.P.(MD)Nos.9394 and 14258 of 2026

respondent, duly enclosing all the records so far collected by them,
requesting the verification of correctness and entitlement of the
Scheduled Caste status to the petitioner.

(ii) Within one week from the receipt of such communication,
the third respondent shall ensure that the matter is referred to the
jurisdictional District Level Vigilance Committee for verification of the
scheduled caste status of the petitioner.

(iii) The appropriate Committee shall complete the scrutiny
within a period of 3 months therefrom by following due procedure as
mandated in G.O.(Ms)No.104, Adi Dravidar and Tribal Welfare (CV-1)
Department, dated 21.08.2023 and other directions and pass final orders
with reference to the community status and the certificate of the
petitioner.

(iv) The impugned orders dated 15.05.2026, cancelling the
registration of the petitioner as a contractor and cancelling the work
order which is already granted, shall stand quashed.

(v) It would be open for the respondents 3 and 4 to pass fresh
orders relating to non-allotment of any fresh contract to the petitioner
pending verification and decision on the Schedule Caste status of the



W.P.(MD)Nos.9394 and 14258 of 2026

petitioner.

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(vi) The petitioner will be permitted to perform the contracts already allotted and the registration shall be on record until the verification and decision is made.

(vii) It would be open for the respondents to pass orders relating to registration of the petitioner as a contractor upon receipt of the decision with reference to her scheduled caste status by the appropriate committee.

(viii) No costs. Consequently, the connected Miscellaneous Petitions stand closed.

08.07.2026

NCC : Yes
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To

1. The Chief Secretary,
Government of Tamil Nadu,
St. George Fort,
Chennai-600009.

Page No.16 of 18



W.P.(MD)Nos.9394 and 14258 of 2026

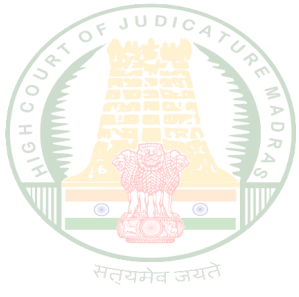
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3. The Principal Secretary,
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W.P.(MD)Nos.9394 and 14258 of 2026

D.BHARATHA CHAKRAVARTHY, J.

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Pre-delivery common order
in
W.P.(MD)Nos.9394 and 14258 of 2026

08.07.2026