

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.06.2016

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G. RAMESH
and
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

Writ Petition No.20101 of 2016

K.Ambika

...Petitioner

Vs.

1.The Member Secretary
Tamil Nadu Backward Classes Commission
No.212, R.K.Mutt Road
Mylapore, Chennai-600 004

2.The Secretary to the Government
of Tamil Nadu
Backward Classes, Most Backward Classes
and Minorities Welfare Department
Fort St.George, Chennai-600 009

3.The Member Secretary
National Commission for Backward Classes
Trikoort-1, Bhikaji Cama Place
New Delhi-110 066

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the first and second respondents herein to consider the petitioner's representation dated 14.06.2015 and to initiate appropriate action within a time frame.

For Petitioner : Mr.J.Thilagaraj

For Respondents : Mr.A.Srijayanthi, Spl.G.P.

ORDER

(Order of the Court was made by HULUVADI G. RAMESH,J.)

The petitioner is before this Court seeking for a direction to the 1st and 2nd respondents to consider the petitioner's representation dated 14.06.2015 and to take appropriate action.

2. The petitioner claims that he belong to a community called Virakodi Vella, which is now classified as a Backward Class by the Government of Tamil Nadu. According to the petitioner, the community of Virakodi Vellala has to be classified as Most Backward Class on par with Panisaivan, Panisivan and Panisavan communities and her representation dated 14.06.2015 in this regard is pending before the respondents. Now, the petitioner by way of the present Writ Petition seeks a direction to the respondents 1 and 2 to consider and pass orders regarding such classification.

3. In our considered view, the classification of a particular community as Most Backward Class or any other category involves a policy decision and this court cannot issue any direction to the respondents herein to make such classification, rather the petitioner has to make some representation before the concerned Government seek for such classification of the said issue before the Government. Further, the matter requires recommendation of the Cabinet and such a policy decision shall be taken at the appropriate level. In such circumstances, the remedy for the petitioner is elsewhere and this court is not inclined to entertain this Writ Petition. Accordingly, the Writ Petition is dismissed. No costs.

Sd/-
Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

nvsri

To

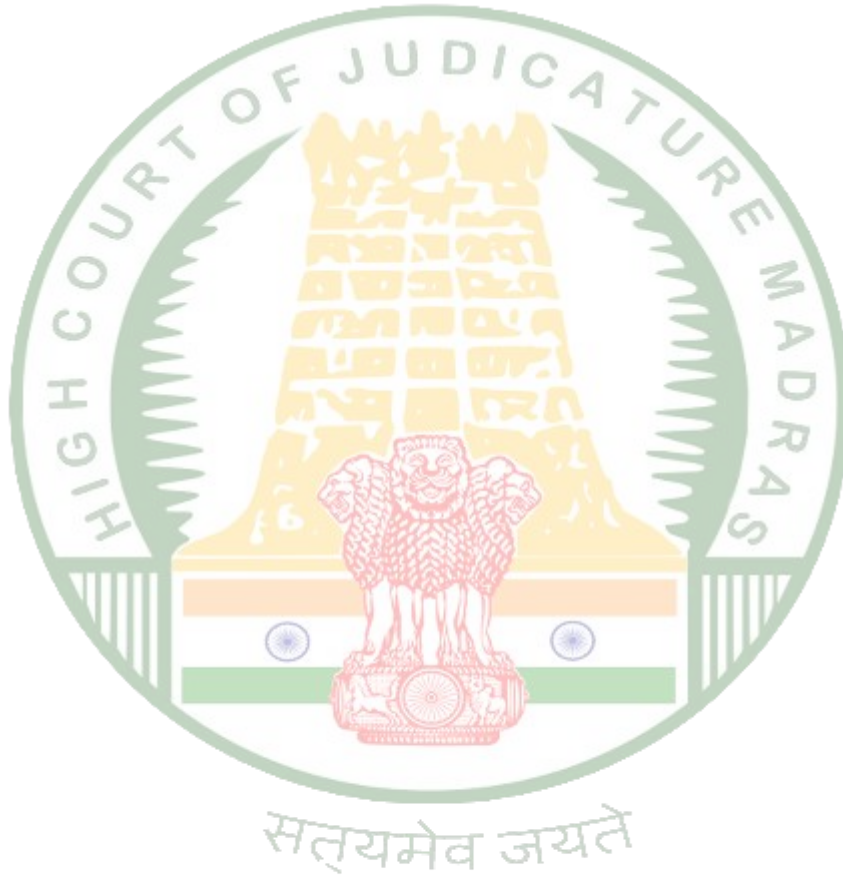
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2 ccs to M/s.J.Thilagaraj, Advocate, sr.32355

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