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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.10.2016**

CORAM:

THE HONOURABLE **MR.SANJAY KISHAN KAUL, CHIEF JUSTICE**

AND

THE HONOURABLE **MR.JUSTICE S.NAGAMUTHU**

W.P.(MD).No. 1009 of 2013

and

M.P.Nos.1 and 2 of 2013 and 1 of 2014

M.K.Muzibur Rahman : Petitioner

Vs.

1.Union of India,
Rep. by its Secretary,
Ministry of Minority Affairs,
11th Floor, Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi. 110003

2.The Government of Tamil Nadu
Rep. by its Chief Secretary,
Fort St. George, Chennai.

3.Tamil Nadu Public Service Commission
Rep. by its Chairman,
Frazer Bridge Road, V.O.C. Nagar,
Park Town, Chennai.

4.Secretary to Government
Government of Tamil Nadu,
Backward Classes, Most Backward Classes,
& Minorities Welfare Department,
Fort St. George, Chennai.

5.The Tamil Nadu Backward Classes Commission,
Rep. by its Member Secretary
No.212 R.K.Mutt Road,
Mylapore, Chennai.

6.The District Collector
Ramanathapuram
Ramanathapuram District : Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondents 2 and 4 to decide and declare the community

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status of the persons who convert from the Schedule Caste Community to Islam and consequentially direct the respondents to issue community certificate stating such community status to such muslims who have converted from other communities within the time that may be stipulated by this Court.

For Petitioner : Mr.M.Mahaboob Athiff for
M/s.Ajmal Associates

For Respondents : Mr.G.R.Swaminathan
for Mr.D.Saravanan
Assistant Solicitor General of India for R1
Mr.B.Pugalendhi
Additional Advocate General assisted by
Mr.Aayiram K.Selvakumar for R2,R4 to 6
Mr.K.K.Senthil for R3

O R D E R

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[Order of the Court was made BY The Hon'ble The Chief Justice]

Petitioner seeks to raise the issue of the status of persons, who convert to Islam from the Scheduled Caste Community and as to whether they are entitled to the benefit of reservation as Scheduled Caste.

2. It is pointed out to us by the learned Additional Advocate General that the very issue has been referred to a Larger Bench by the Hon'ble Supreme Court in Centre, Public Interest Litigation & Another v. Union of India. (Writ Petition (Civil) No.180 of 2004 vide order dated 21.01.2011)

3. In view of the aforesaid facts and circumstances, we see no purpose in entertaining the petition, as the very question is under the consideration before the Supreme Court and the law laid down would be applicable to all.

4. The petition, accordingly, stands disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS-I)

/True copy/

Sub Assistant Registrar

To
1.The Secretary,
Union of India,
Ministry of Minority Affairs,
11th Floor, Paryavaran Bhawan,
CGO Complex, Lodhi Road, New Delhi. 110003

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Government of Tamil Nadu
Fort St. George, Chennai.

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5.The Member Secretary
Tamil Nadu Backward Classes Commission,
No.212 R.K.Mutt Road,
Mylapore, Chennai.

6.The District Collector,
Ramanathapuram,
Ramanathapuram District .

+1 cc to M/s.Ajmal Associates, Advocate in SR.No.59055
+1 cc to M/s.K.K.Senthil, Advocate in SR.No.58153
+1 cc to M/s.D.Saravanan, Advocate in SR.No.58066
+1 cc to The Special Government Pleader in SR.No.59202

RR
CSL/DB/19.10.2016: 3P/11C

Order made in
W.P.(MD) No.1009 of 2013
Dated: 03.10.2016

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