



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.04.2017

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

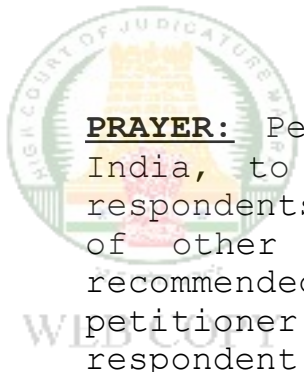
WP.(MD) No.14140 of 2013
and
M.P.(MD) No.1 of 2013

S.Gayathri

... Petitioner

-vs-

- 1.The Secretary to Government of India,
Ministry of Social Justice and Employment,
New Delhi.
 - 2.The Chairman,
National Commission for Backward Classes,
New Delhi.
 - 3.The Principal Secretary to Government of Tamilnadu,
Backward Classes, Most Backward Classes and Minorities,
Welfare (BCC) Department,
Secretariat, Chennai.
 - 4.The District Collector,
Thiruchirapalli District,
Trichy.
 - 5.The Tahsildar,
Srirangam Taluk,
Trichy District.
 - 6.The Chairperson and Managing Director,
Bank of India,
Star House, C-5,
'G' Block, Bandra Kurla Complex,
Bandra (East), Mumbai - 400 051.
- ... Respondents



PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus, to direct the 1st and 2nd respondents to include Hindu Servai Community in the Central List of other Backward Classes for the State of Tamil Nadu as recommended by the 3rd respondent and so as to enable the petitioner to get other backward class certificate from the 5th respondent for the purpose of employment.

For Petitioner : Mr.D.Sasikumar

For Respondent : Mr.P.Subbiah for RR1 and 2
Mr.V.R.Shanmuganathan, Spl.G.P.
For RR3 to 5
Mr.Pala Ramasamy for R6.

O R D E R

The petitioner has filed this writ petition for a direction, to direct the 1st and 2nd respondents to include Hindu Servai Community in the Central List of other Backward Classes for the State of Tamil Nadu as recommended by the 3rd respondent and so as to enable the petitioner to get other backward class certificate from the 5th respondent for the purpose of employment.

2.Counter affidavit has been filed by the first respondent and in paragraph 8, it has been stated as follows:

"It is respectfully submitted that due to the lengthy procedure involved for inclusion/exclusion of any caste/community in the Central List of OBCs for various States, it has taken a considerable time. However, with the approval of the Cabinet, the Government has now modified the existing entry at Sl.No.3 as "3.Ambalakarar, Ambalakaran (including Servai) in place of "3.Ambalanarar, Ambalakaran". A copy of the notification issued by this Ministry in this regard vide Resolution No.12015/05/2011-BC-II dated 17.2.2014 is annexed as Annexure-V. It is also submitted that a copy of the notification dated 17.2.2014 has also been sent to the petitioner vide letter No.12018/13/2013-BC-II dated 5.9.2014. A copy of letter dated 5.9.2014 is annexed as Annexure R-VI"

3.The learned counsel for the petitioner submits that the above statement made by the first respondent may be placed on record and the writ petition may be disposed of.



4. In the light of the stand taken by the first respondent in the counter affidavit, while recording the same, the writ petition stands disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To:

1. The Secretary to Government of India,
Ministry of Social Justice and Employment,
New Delhi.
2. The Chairman,
National Commission for Backward Classes,
New Delhi.
3. The Principal Secretary to Government of Tamilnadu,
Backward Classes, Most Backward Classes and Minorities,
Welfare (BCC) Department,
Secretariat, Chennai.
4. The District Collector,
Thiruchirapalli District,
Trichy.
5. The Tahsildar,
Srirangam Taluk,
Trichy District.

+1cc to Mr. P. Subbiah, Advocate Sr.No. 50288
+1cc to Mr. Pala Ramasamy, Advocate Sr.No. 19195
+1cc to Spl. Government Pleader Sr.No. 19350

ARUL/SKM/

VB/RR/17.04.2017/3P/9C

WP. (MD) No. 14140 of 2013

and

M.P. (MD) No. 1 of 2013

03.04.2017