

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:16.02.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.3287 of 2021

Society for the Rights of Backward Communities,
rep. by its Secretary P.Thirugnana Sambandam,
Having office at:
D.No.105, Aishwarya Complex,
Gopalapuram,
Coimbatore - 641 018.

... Petitioner

Vs

- 1.The Union of India,
rep. by the Secretary to Government,
Ministry of Social Justice and Empowerment,
Government of India,
Room No.202, 2nd Floor,
C-Wing, Shastri Bhawan,
New Delhi - 110 001.
- 2.The National Commission for Backward Classes,
rep. by its Chairman,
Government of India,
Trikoot-1, Bhikaji Cama Place,
New Delhi - 110 066.

- 3.The Principal Secretary to Government,
BC, MBC & Minorities Welfare Department,
Fort St. George,
Chennai - 600 009.

- 4.The Chairman,
Tamil Nadu Backward Classes Commission,
212, R.K. Mutt Road,
Mylapre, Chennai - 600 004.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the second respondent to forthwith consider the representation of the petitioner Society dated 28.1.2021 and take action in accordance with law.

For Petitioner : Mr.AR.L.Sundaresan
for M/s.P.Saravana Sowmiyan

For Respondents : Mr.Pragathish
for respondent No.1

: Mr.Vijay Narayan
Advocate General
assisted by
Mr.V.Jayaprakash Narayanan
State Government Pleader
for respondent No.3

ORDER

(Order of the Court was made by Senthilkumar Ramamoorthy, J.)

This writ petition is filed for a writ of mandamus to direct the second respondent to consider the representation dated 28.01.2021.

2. The writ petitioner asserts that a representation was sent to the second respondent on 28.01.2021 pointing out that proper data has not been collated in respect of the reservation for the Most Backward Class. In spite of such representation, it is contended that no action was taken.

3. Learned Advocate General submits that matters pertaining to the constitutional challenge to the Act providing for such reservation are pending before the Hon'ble Supreme Court.

4. We notice that the representation of the writ petitioner is dated 28.01.2021 and that the writ petitioner has rushed to this Court without waiting for a reasonable time for the consideration and disposal of the representation.

5. Nonetheless, without examining the merits or tenability of the said representation of the writ petitioner, the second respondent is directed to consider and dispose of the same by a speaking order within a period of eight weeks from the date of receipt of a copy of this order.

6. W.P.No.3287 of 2021 is disposed of on the above terms. There will be no order as to costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

bbr
To:

- 1.The Secretary to Government,
Union of India,
Ministry of Social Justice and Empowerment,
Government of India,
Room No.202, 2nd Floor,
C-Wing, Shastri Bhawan,
New Delhi - 110 001.
- 2.The National Commission for Backward Classes,
rep. by its Chairman,
Government of India,
Trikoort-1, Bhikaji Cama Place,
New Delhi - 110 066.
- 3.The Principal Secretary to Government,
BC, MBC & Minorities Welfare Department,
Fort St. George,
Chennai - 600 009.
- 4.The Chairman,
Tamil Nadu Backward Classes Commission,
212, R.K. Mutt Road,
Mylapre, Chennai - 600 004.

+1cc to Mr.P.Saravana Sowmiyan, Advocate Sr.8979
+1cc to the Government Pleader Sr.8997

W.P.No.3287 of 2021

ad[co]
srg 26/02/2021