



WEB COPY

W.P(MD)No.9071 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P (MD)No.9071 of 2021

M.Sundararaj

... Petitioner

Vs.

1.The Chief Secretary,
Government of Tamil Nadu,
Fort St.George,
Chennai-600 009.

2.The Chairman,
Tamil Nadu Backward Class Commission,
212, R.K.Madam Road,
Mylapore,
Chennai-600 004.

3.The Principal Secretary,
Backward Class, Most Backward Class
and Minorities Welfare,
Fort St.George,
Chennai-600 009.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents herein to provide 15% reservation within the Backward Class (BC) reservation for our Yadava Community people of Tamilnadu by considering the petitioner's representation dated 20.03.2021.

For Petitioner : Mr.M.Thirunavukkarasu

For Respondents : Mr.Veerakathiravan
Senior Counsel for Government

for Mr.R.Baskaran
Standing Counsel for Government



ORDER

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

We have heard Mr.M.Thirunavukkarasu, learned counsel appearing for the petitioner and Mr.Veera Kathiravan, learned Senior Counsel for Government representing Mr.K.Baskaran, learned Standing Counsel for the Government, who accepts notice on behalf of the respondents.

2.The petitioner seeks for a direction upon the respondents to provide 15% reservation within the Backward Class reservation for Yadava Community.

3.Though several averments have been set out in support of the prayer sought for in the Writ Petition, the moot question is whether a Writ Court can issue such a direction. Admittedly, the Writ Court cannot issue any positive direction to direct the respondents/State to provide reservation within the communal reservation provided for Backward Class Communities. Therefore, the Writ Petition cannot be entertained. Accordingly, the Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar (CSI)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

PS/SSL

To

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

<https://hcservices.ecourts.gov.in/hcservices/>



Chennai-600 009.

2.The Chairman,
Tamil Nadu Backward Class Commission,
212, R.K.Madam Road,
Mylapore,
Chennai-600 004.

3.The Principal Secretary,
Backward Class, Most Backward Class
and Minorities Welfare,
Fort St.George,
Chennai-600 009.

+1 CC to M/s.GP (SR-18665[F] dated 02/06/2021)

**ORDER MADE IN
W.P (MD) No. 9071 of 2021
01.06.2021**

GS (10.06.2021) 3P 5C