



W.P.(MD) No.26580 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.11.2022

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

W.P.(MD) No.26580 of 2022

Kuravan People's Welfare Association,  
rep. by its State President K.Murugesan,  
Plot No.40, Dhanalaxmi Nagar,  
Umamaheswarapuram Village and Post,  
Thiruvidaimaruthur Taluk,  
Thanjavur District-612 103.

.. Petitioner

VS

1.Union of India,  
rep. by its Secretary,  
Ministry of Social Justice and Empowerment,  
Shastri Bhavan,  
Dr. Rajendra Prasad Road,  
New Delhi-110 001.

2.The Secretary,  
Ministry of Tribal Welfare Department,  
Government of India,  
Shastri Bhavan,  
Dr. Rajendra Prasad Road,  
New Delhi-110 001.



W.P.(MD) No.26580 of 2022

3.The Anthropological Survey of India,  
rep. by its Director,  
27, Jawaharlal Nehru Road,  
Kolkata-700 016,  
West Bengal.

4.The State of Tamil Nadu,  
rep. by the Principal Secretary to Government,  
Backward Class, Most Backward Class and  
Minorities Welfare Department,  
Fort St. George, Secretariat,  
Chennai-9.

5.The State of Tamil Nadu,  
rep. by its Principal Secretary,  
Adi Dravidar and Tribal Welfare Department,  
Fort St. George, Secretariat,  
Chennai-9.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to remove the word Koravar/Koravan from the MBC list serial No.24 (Naraikoravar) including in the Schedule notified by the State of Tamil Nadu as per Section 3(a) of Tamil Nadu Backward Classes, Schedule Castes and Scheduled Tribes (Reservation of Seats in Educational Institutions and of appointments or posts in the Services under the State) Act, 1993 and also while including the "Kuruvikaran" community as "NARIKORAVAN, KURUVIKARAN" in the List of Schedule Tribes in accordance with Article 342 of the Constitution of India.



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W.P.(MD) No.26580 of 2022

For the Petitioner : Mr.K.Thilageswaran  
for Mr.T.Lajapathi Roy

For the Respondents : Mr.P.Muthukumar  
State Government Pleader  
for respondent Nos.4 and 5

ORDER

(Order of the court was made by the Hon'ble Acting Chief Justice)

K.Murugesan, State President of Kuravan People's Welfare Association, has filed this writ petition for issuance of a writ of mandamus directing the respondents to remove the word "Koravar/Koravan" from the MBC List Serial No.24 (Narikoravar) included in the schedule notified by the State of Tamil Nadu as per Section 3(a) of the Tamil Nadu Backward Classes, Schedule Castes and Scheduled Tribes (Reservation of Seats in Educational Institutions and of appointments or posts in the Services under the State) Act, 1993 and also while including the "Kuruvikaran" community as "Narikoravan, Kuruvikaran" in the List of Scheduled Tribes in accordance with Article 342 of the Constitution of India.



W.P.(MD) No.26580 of 2022

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2. Learned counsel appearing for the petitioner submitted that the petitioner association was formed for the welfare of Kuravan community people in Tamil Nadu and Kuravan community is a Scheduled Caste community which finds place in the list of Scheduled Caste community in the Constitution (Schedule Caste) Caste, 1950. He would submit that Kuravan community is remaining as Scheduled Caste community right from the year 1935 till date. The Tamil Nadu First Backward Class Commission, headed by Mr.A.N.Sattanathan, Second Backward Class Commission, headed by Mr.J.A.Ambasankar, Tribal Research Centre, Ooty, Anthropological study report and also the various published ethnographical information describe about the Kuravan community that Kuravan or Koravan, Kuravar or Koravar are one and the same community of Kuravan.

3. Learned counsel further submitted that Kuravan community people speak Tamil language and their family god is Murugan-Valli, whereas the Kuruvikaran people are migrated from Maharashtra, Gujarat and various parts of North India to Tamil Nadu and they



W.P.(MD) No.26580 of 2022

WEB COPY

used to catch fox and jackal and sell their skin, teeth, nails, etc., and that the meaning of fox in Tamil language is "Nari". Their god is Kali and they speak Wagri Poli language. While so, the Tamil Nadu Government has erroneously introduced them as Narikoravar in the MBC list vide Government Order in G.O.Ms.No.353 dated 31.1.1957 (Serial No.34) and presently they are included in MBC list vide G.O.Ms.No.28 dated 19.7.1994.

4. Learned counsel urged that adding of suffix as Kuravan in the petitioner's community is causing huge difficulties and embarrassment in the eyes of the public. Therefore, the petitioner has submitted a detailed representation on 23.3.2022 to the respondent authorities requesting them to include them in the Scheduled Tribe of Tamil Nadu as narikaran grouped with kurivikaran instead of Nari-koravan grouped with Kuruvikaran. Despite receipt of the said representation, no action was taken by the respondent authorities. Hence, the petitioner was constrained to file the instant writ petition.



W.P.(MD) No.26580 of 2022

5. We are unable to find any justification in the claim made by the petitioner in this writ petition. The plea of the petitioner is that the Government of Tamil Nadu has erroneously introduced Narikoravar in the MBC list vide G.O.Ms.No.353, dated 31.1.1957, followed by subsequent government orders. However, without challenging the Government Order, the instant writ petition filed seeking a direction to remove the word "Koravar/Koravan" is a futile exercise undertaken by the petitioner association. The court exercising jurisdiction under Article 226 of the Constitution of India is not empowered to direct change of the name of the community, more so, when the Government Order is not under challenge.

Finding no merit in the writ petition, the same is dismissed.  
There will be no order as to costs.

(T.R., ACJ.) (D.K.K., J.)  
29.11.2022

Index : No  
bbr



W.P.(MD) No.26580 of 2022

To:

WEB COPY

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W.P.(MD) No.26580 of 2022

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