



WP No.18076 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.06.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU

WP No.18076 of 2023

Society for the Rights of Backward
Communities, Rep. by its Secretary,
P.Thirugnanasambandam, Having office
at D.No.105, Aishwarya Complex,
Gopalapuram, Coimbatore 641 018.

.. Petitioner

-VS-

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

2. The Chairman,
Tamil Nadu Backward Classes Commission,
212, R.K.Mutt Road, Mylapore,
Chennai 600 004.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 2nd respondent to consider the representations of the petitioner Society dated 16.02.2023 and 19.04.2023 and pass orders in accordance to law.

For the Petitioner : Mr.P.Saravana Sowmiyan



WP No.18076 of 2023

For the Respondents : Mr.R.Shunmugasundaram
Advocate-General,
Assisted by Mr.P.Muthukumar,
State Government Pleader,
and Miss.A.G.Shakeenaa.

* * * * *

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

We have heard Mr.P.Saravana Sowmiyan, learned counsel for the petitioner and Mr.R.Shunmugasundaram, learned Advocate-General for the respondents.

2. The learned advocate for the petitioner submits that the current data does not exist about the reservation. The data as of the year 1963 only is being considered and available today. According to the learned counsel, a representation has been given by the petitioner. The petitioner is working for the rights of the backward communities.

3. We do appreciate the anxiety of the petitioner in protecting the right of the backward persons. However, at page 68 of the paper book, the petitioner has annexed the representation given by the President of the petitioner-society referring to a writ petition filed by



WP No.18076 of 2023

one of its members bearing W.P.(MD) No.10559 of 2022 before the Madurai Bench seeking directions to the Tamilnadu Backward Class Commission not to consider or embark on any effort to consider internal reservation without taking fresh data on communities and their backwardness. It is stated in the said representation that the Hon'ble Madurai Bench has given a clear direction to TNBC not to embark on any deliberations on internal quota without an empirical data and without consulting National Commission of Backward Classes.

4. When the order, even according to the petitioner, is already passed by the Madurai Bench of this Court, for the same purpose, again a separate PIL need not be filed. In case the directions of the Court are not being adhered to, then the petitioner may have cause to approach the Court.

With the aforesaid observation, the writ petition is disposed of. There will be no order as to costs.

(S.V.G., CJ.)

(P.D.A., J.)

21.06.2023

Index : yes/no
Neutral Citation : Yes/No
sra

Page 3 of 4



WEB COPY



WP No.18076 of 2023

THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKESAVALU, J.

(sra)

To:

1. The Principal Secretary to Government,
BC, MBC & Minorities Welfare Department,
Fort St. George, Chennai 600 009.
2. The Chairman,
Tamil Nadu Backward Classes Commission,
212, R.K.Mutt Road, Mylapore,
Chennai 600 004.

WP No.18076 of 2023

21.06.2023