



W.P(MD)Nos.10558, 10559 & 14235 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.03.2023

CORAM:

**THE HON'BLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HON'BLE MRS JUSTICE L.VICTORIA GOWRI**

W.P(MD)Nos.10558, 10559 & 14235 of 2022

and

W.M.P(MD)No.7691, 9526, 10122, 10123, 9527, 10169, 7692 of 2022

W.P(MD)No.10558 of 2022

A.Brasil

:Petitioner

.VS.

- 1.The Chief Secretary,
Government of Tamil Nadu,
Fort St. George,
Chennai-600 009.
- 2.The Principal Secretary to Government of Tamil Nadu,
Ministry of Backward Classes,
Most Backward Classes to Minorities,
Social Welfare Department,
Fort St. George,
Chennai-600 009.
- 3.The Chairman, National Commission for
Backward Classes
Government of India, Trikoot-1,
Bhihaji Cama Place,
New Delhi-110066.



W.P(MD)Nos.10558, 10559 & 14235 of 2022

4.The Chairman,
Tamil Nadu Backward Classes Commission,
No.212, R.K.Mutt Road, Mylapore,
Chennai-600 004.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the Impugned Communication in Letter No.252/TNBCC/2020, dated 20.05.2022 of the 4th respondent and quash the same as illegal and unconstitutional and consequently direct the 2nd and 4th respondents not to act upon the Terms of Reference No.V of G.O.No.52, dated 08.07.2020 i.e., (V) The Commission shall examine and recommend upon the demand made by various communities to provide for internal reservation within the reservation provided for Most Backward Classes” issue by the second respondent.

For Petitioner	:Mr.A.Rajini
For R1 & R2	:Mr.J.Ravindran Additional Advocate General Assisted by Mr.P.Thilakkumar Government Pleader
For R3	:Mr.S.Jeyasingh
For R4	:Mrs.M.Sneha Standing Counsel

W.P(MD)No.10559 of 2022

Dr.M.Jebamani

:Petitioner

.VS.



W.P(MD)Nos.10558, 10559 & 14235 of 2022

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1. The Chief Secretary,
Government of Tamil Nadu,
Fort St. George,
Chennai-600 009.
2. The Principal Secretary to Government of Tamil Nadu,
Ministry of Backward Classes,
Most Backward Classes to Minorities,
Social Welfare Department,
Fort St. George,
Chennai-600 009.
3. The Chairman, National Commission for
Backward Classes
Government of India, Trikot-1,
Bhihaji Cama Place,
New Delhi-110066.
4. The Chairman,
Tamil Nadu Backward Classes Commission,
No.212, R.K.Mutt Road, Mylapore,
Chennai-600 004.

: Respondents

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W.P(MD)Nos.10558, 10559 & 14235 of 2022

For Petitioner
For R1 & R2

:Mr.A.Rajini
:Mr.J.Ravindran
Additional Advocate General
Assisted by
Mr.P.Thilakkumar
Government Pleader

For R3

:Mr.S.Jeyasingh
Central Government Standing Counsel

For R4

:Mrs.M.Sneha
Standing Counsel

W.P(MD)No.14235 of 2022

P.Karthigai Rajan

:Petitioner

.VS.

R1 is deleted from the array of parties
and R2 to R4 shown as R1 to R3
vide Court order dated 06.07.2022.

1.The Principal Secretary to Government of Tamil Nadu,
Ministry of Backward Classes,
Most Backward Classes to Minorities,
Social Welfare Department,
Fort St. George,
Chennai-600 009.

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W.P(MD)Nos.10558, 10559 & 14235 of 2022

3. The Chairman,
Tamil Nadu Backward Classes Commission,
No.212, R.K.Mutt Road, Mylapore,
Chennai-600 004.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records pertaining to the Impugned Terms of Reference No.V of G.O.No. 52, dated 08.07.2020 i.e., “V) The Commission shall examine and recommend upon the demand made by various communities to provide for internal reservation within the reservation provided for Most Backward Classes” issue by the second respondent and quash the same as illegal and unconstitutional.

For Petitioner	:Mr.A.Rajini
For R1	:Mr.J.Ravindran Additional Advocate General Assisted by Mr.P.Thilakkumar Government Pleader
For R2	:Mr.S.Jeyasingh Central Government Standing Counsel
For R3	:Mrs.M.Sneha Standing Counsel



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W.P(MD)Nos.10558, 10559 & 14235 of 2022

COMMON ORDER

(Order of the Court was made by R.SUBRAMANIAN, J.)

The prayer in all the writ petitions is the same and it reads as follows:-

“Calling for the records pertaining to the Impugned Communication in Letter No.252/TNBCC/2020, dated 20.05.2022 of the 4th respondent and quash the same as illegal and unconstitutional and consequently direct the 2nd and 4th respondents not to act upon the Terms of Reference No.V of G.O.No.52, dated 08.07.2020 i.e., (V) The Commission shall examine and recommend upon the demand made by various communities to provide for internal reservation within the reservation provided for Most Backward Classes” issue by the second respondent.”

2. A reading of the above prayer as well as the impugned notice shows that the grievance of the petitioners is about the proposed internal reservation for certain most backward class communities. This Court has passed an interim order restraining the Commission from going ahead with the said proposal. In the interregnum, the Backward Classes Commission has been reconstituted and fresh terms of reference have



W.P(MD)Nos.10558, 10559 & 14235 of 2022

been made. Therefore, nothing survives in these writ petitions. Hence, the writ petitions are dismissed as having become infructuous. It will be open to the petitioner to challenge the terms of reference made to the New Commission if they are aggrieved. No costs. Consequently, connected miscellaneous petitions are closed.

[R.S.M.,J.] & [L.V.G.,J.]
20.03.2023

Index: Yes/No
Internet: Yes/No
am

To

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Fort St. George, Chennai-600 009.
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Ministry of Backward Classes,
Most Backward Classes to Minorities,
Social Welfare Department,
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R.SUBRAMANIAN, J.
AND
L.VICTORIA GOWRI, J.

am

ORDER MADE IN
W.P(MD)Nos.10558, 10559 & 14235 of 2022

20.03.2023