



W.P.(MD)No.24208 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.08.2023

CORAM :

**THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
AND
THE HONOURABLE MR.JUSTICE P.VADAMALAI**

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M.Ramakrishnan

... Petitioner

VS.

1.The State of Tamil Nadu,
Rep. by its Secretary,
Backward Classes, Most Backward Classes
and Minorities Welfare Department,
Secretariat,
Chennai.

2.The Secretary to Government,
Social Welfare Department,
Secretariat,
Chennai.

3.The Member Secretary,
Tamil Nadu Backward Classes Commission,
No.212, Ramakrishna Madam Road,
Mylapore,
Chennai – 600 004.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, seeking issuance of a Writ of Mandamus, directing the respondents to include the petitioner's caste *i.e.*, Konar, Idaiyar, Kovalar and Pothuvar, in the caption of "Ayar Kulam",



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instead of in the caption of "Yadava", by considering the representation of the petitioner, dated 19.07.2016.

For Petitioner : Mr.R.Gowrishankar

For Respondents : Mr.J.Ashok
Additional Government Pleader

ORDER

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

Learned counsel for the petitioner submits that the caste of the petitioner is included in the caption of "Yadava" as follows:-

"114. Yadava (including Idaiyar, Telugu speaking Idaiyar known as Vaduga Ayan or Vaduga Idaiyar or Golla, Mond Golla, Asthanthra Golla)".

2. According to the learned counsel for the petitioner, as Yadavas belong to North India, they are of 'Yadhukula Vamsam'. But, the persons living in Tamil Nadu from ancient Tamil culture and Yadavas also belong to 'Ariyars'. A request is made by the petitioner to remove his caste from the caption of 'Yadava' and include the same under caption of 'Ayarkulam' or 'Ayar Inam'. But, the representation has not been attended to.



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3. A counter affidavit has been filed by the respondents.

Paragraph 6 of the counter affidavit reads thus:-

"6. With reference to the averments made in paras 2 to 6 of the affidavit filed along with the writ petition, it is submitted that the requests made by the petitioner to the Government in his representations, dated 9.2.2010 and 19.7.2016, have been examined in consultation with the Tamil Nadu Backward Classes Commission. The petitioner has been given necessary information regarding the request made in his representation, in Government letter No.4305/PiNaSiPi/2016-3, Backward Classes, Most Backward Classes and Minorities Welfare department, dated 27.01.2017. The petitioner was informed that the entry in the List of Backward Classes "Yadava, including Idaiyar, Telugu speaking Idaiyar known as Vaduga Ayar or Vaduga Idaiyar or Golla and Asthanthra Golla" had been notified based upon the reports submitted to the Government earlier during 1970 and 1985 by the Tamil Nadu Backward Classes Commissions, relying upon various materials, including the historical, sociological, demographic and ethnographic information dating back to the pre-Constitutional era of the Nation. Further, the Tamil Nadu Backward Classes Commission, which



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examined the request of the petitioner for change of entry "Yadava" into "Ayar Kulam" based upon the earlier reports and published ethnographic information, had not recommended affirmatively for accepting the demands of the petitioner. It is, therefore, submitted that the existing entry of "Yadava, including Idaiyar, Telugu speaking Idaiyar known as Vaduga Ayar or Vaduga Idaiyar or Golla and Asthanthra Golla" in the List of Backward Classes needs no modification or amendment."

4. In the light of the above, it is clear that the representation of the petitioner has been attended to and consultation has been made with the Tamil Nadu Backward Classes Commission and thereafter only, the Government have come to a conscious conclusion regarding the existing entry.

5. In the light of that, the Writ Petition is disposed of. There will be no order as to costs.

[S.V.G., CJ.]

[P.V.M., J.]

Index : Yes / No

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Neutral Citation : Yes / No
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To

- 1.The Secretary to Government of Tamil Nadu,
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and Minorities Welfare Department,
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Chennai.
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THE HON'BLE CHIEF JUSTICE
and
P.VADAMALAI, J.

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ORDER MADE IN
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