



WP No.2315 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2024

CORAM

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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Madurai Mavatta Devendra Kula Velalar

Uravinmurai Sangam

Represented by its

President C. Selvakumar

: Petitioner

versus

1.The Secretary

Office of the President of India

Rashtrapathi Bhavan, New Delhi India 110 004

2.Union of India

Represented by its Secretary

Ministry of Social Justice & Empowerment, New Delhi

3.The Secretary

National Commission for Scheduled castes

5th Floor, Lok Nayak Bhavan, Khan Market,

New Delhi 110 003

: Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the first Respondent to dissolve the 3rd Respondent commission based on the representation dated 16.12.2019 made by the petitioner's Association to the 1st Respondent.

For the Petitioner

:

Mr.Rajapandi

for Mr.K.Kannan

For the Respondents

:

Mr.V.Chandrasekar



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ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.Rajapandi, learned counsel for the petitioner and Mr.V.Chandrasekar, learned counsel appearing for the respondents.

2. Prayer is made to dissolve the third respondent – National Commission for Scheduled Castes. The learned counsel for the petitioner submits that though the third respondent Commission is constituted under Article 338 of the Constitution of India, it is not performing its duties in accordance with the said Article. It is functioning in a biased manner and is politically driven. The Commission is not functioning for the benefit of the Scheduled Caste people. It is not maintaining the dignity of the said people. The third respondent fails to look into and investigate on real issues.

3. The third respondent is a Constitutional body and functionary. It is constituted with an avowed object for the benefit of the Scheduled Caste people. The Commission is bestowed with a wide range of duties as enumerated in Article 338(5) of the Constitution of



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India and the Commission has to perform the same.

4. If a person is aggrieved by any of the action of the Commission, then, that action may be challenged. However, a blanket prayer for dissolving the Commission would not be in the interest of the members of the Scheduled Caste community. We cannot comprehend such a prayer on the basis of the facts enumerated in the petition.

5. In light of that, the writ petition is dismissed. There shall be no order as to costs. Consequently, WMP No.2683 of 2020 is closed.

(S.V.G., CJ.)

(D.B.C., J.)

08.01.2024

Index : Yes/No
Neutral Citation : Yes/No
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THE HON'BLE CHIEF JUSTICE
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