



W.A.(MD).No.1021 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 22.07.2024

CORAM

**THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA
AND
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

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The Secretary,
Tamil Nadu Public Service Commission,
Frazer Bridge Road,
VOC Nagar, Park Town,
Chennai – 600 006.

... Appellant / Respondent

Vs.

P.Abdullah

... Respondent/ Petitioner

PRAYER: Writ Appeal filed under Section 15 of Letters Patent Act, against
the order made in W.P.(MD).No.23237 of 2015 dated 22.12.2015.

For Appellant : Mr.V.Panneer Selvam

For Respondent : Mr.S.Louis



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JUDGMENT

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(Judgment of the Court was made by K.RAJASEKAR,J.)

This intra-Court appeal has been filed by the Tamil Nadu Public Service Commission challenging the order passed by the learned Single Judge in W.P.(MD).No.23237 of 2015 dated 22.12.2015, whereby, a positive direction is given to the Tamil Nadu Public Service Commission to consider the writ petitioner as Backward Class (Muslim) category for Group-IV Services and accordingly, permit the writ petitioner to participate in the counselling and issue selection order, if the writ petitioner is otherwise eligible.

2. During pendency of the Writ Appeal, as per order dated 05.07.2016, this Court has directed the appellant to consider the case of the writ petitioner in the category of Schedule Caste, since he was originally Scheduled Caste converted into a Muslim, which falls within the category of Backward Classes. It is reported that the said order has not been complied with. However, the TNPSC has taken a decision to call for the writ petitioner to attend the certificate verification on 15.07.2024.



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3. It is reported by the learned counsel appearing for TNPSC that as directed, the writ petitioner has already appeared for certificate verification on 15.07.2024 and some more documents were called for further verification and if the writ petitioner satisfies the certificate requirements, then he will be considered for appointment.

4. It is also submitted by the learned counsel for the respondent/writ petitioner that the writ petitioner has already appeared before TNPSC and submitted his application and he prays to consider the case of the writ petitioner in the category of Backward Class (Muslim).

5. It is reported by the learned counsel for the appellant that the Government had passed G.O.(Ms)No.31 Backward Classes, Most Backward Classes and Minorities Welfare (BCC) Department dated 09.03.2024, to treat the converts to Islam as Backward Class Muslims for the purpose of 3.5% reservation provided in the Tamil Nadu Backward Class Muslims (Reservation of Seats in Educational Institutions including Private Educational Institutions and of appointments or posts in the Services under



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the State) Act, 2007. It is also clarified that the TNPSC has taken a decision to comply with this Government Order to the pending cases and accordingly, the case of the writ petitioner is also considered. Since the writ petitioner has already been permitted to participate in the certificate verification, he would be appointed if the certificate requirements are satisfied.

6. With the above observations, this Writ Appeal stands disposed of.

There shall be no order as to costs.

(A.D.J.C.,J.) (K.R.S.,J.)
22.07.2024

NCC : Yes / No
Index : Yes / No
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