



*W.P.Nos.4063 of 2025 and 20706 of 2024*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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**DATED: 22.05.2025**

C O R A M

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**  
**AND**  
**THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN**

**W.P.Nos.4063 of 2025 and 20706 of 2024**  
**and W.M.P.Nos.4571 and 4572 of 2025**  
**and 22654 of 2024**

Puducherry Bhim Sena  
Reg. No.1179/2005  
Rep. by its Secretary,  
No.2, Pudu Nagar, Poriyur Pet,  
Villianur (Post), Puducherry – 605 110.

... Petitioner  
in W.P.No.4063 of 2025

Minor. Ralalatchoumy  
Represented by her mother Angalamalle (Natural Guardian)  
No.24, Kulakarai Street, Calve Bangalow,  
Orleanpet, Puducherry – 605 011.

... Petitioner  
in W.P.No.20706 of 2025

-Vs-

1. The Union of India  
Rep. by Secretary to Government (Revenue)  
Government of Puducherry,  
Chief Secretariat, Puducherry,  
Union Territory of Pondicherry.

2. The Deputy Collector (Revenue)

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North Puducherry, Department of Revenue  
and Disaster Management,  
Government of Pondicherry.

... Respondents  
in W.P.No.4063 of 2025

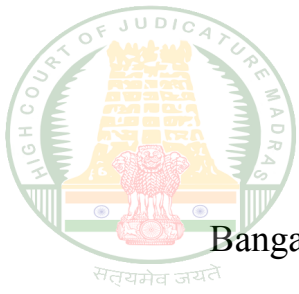
1. The Tahsildar-cum-Executive Magistrate,  
Department of Revenue and Disaster Management,  
Government of Puducherry,  
Taluk Office, Puducherry.

2. The Centralised Admission Committee (CENTAC)  
Perunthalaivar Kamarajar Manimandabam,  
Karuvadikuppam, Puducherry.

... Respondents  
in W.P.No.20706 of 2025

**Prayer in W.P.No.4063/2025:** The Writ Petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Certiorari, to call for the record of the 2<sup>nd</sup> respondent pertains to the impugned order bearing Reference No.30/DCRN/PA/Certificates/2024, dated 30.09.2024 and quash the same.

**Prayer in W.P.No.20706/2024:** The Writ Petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order vide No.0788/CENTAC/TOP/2024 dated 14.06.2024 passed by the first respondent, quash the same and consequently, direct the first respondent to issue Community Certificate indicating that she belongs to Vanniar Caste/Community, which is recognized as “Most Backward Class (MBC)” in Union Territory of Puducherry and also direct the first respondent to issue Residence & Nativity Certificate to the petitioner stating that she is having continuous permanent residence at No.24, Kulakarai Street, Calve



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Bangalow, Orleanpet, Puducherry – 605 011.

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**W.P.No.4063/2025**

For Petitioner : Mr.P.R.Thiruneelakandan

For Respondents : Mr.V.Vasantha Kumar  
Additional Government Pleader  
(Pondicherry)

**W.P.No.20706/2024**

For Petitioner : Mr. E.Anabarasan

For Respondents : Mr. V. Vasantha Kumar  
Additional Government Pleader  
(Pondicherry)

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### **COMMON ORDER**

(Common Order of the Court was made by  
***V. LAKSHMINARAYANAN, J.***)

The issue involved in these two Writ Petitions is one and the same and therefore, both the Writ Petitions are taken up for combined disposal by way of this Common Order.

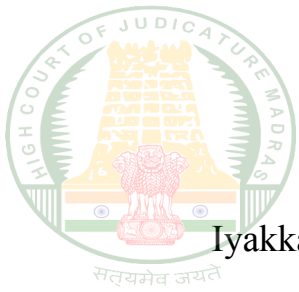


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2. The orders challenged in these Writ Petitions are i) the proceedings of the Deputy Collector Deputy Collector (Revenue), North Puducherry, Department of Revenue and Disaster Management, Government of Pondicherry, in Reference No.30/DCRN/PA/Certificates/2024, dated 30.09.2024 and ii) the proceedings of the Tahsildar-cum-Executive Magistrate, Department of Revenue and Disaster Management, Government of Puducherry, Taluk Office, Puducherry.

3. The petitioner in W.P.No.4063 of 2025 is one Pudhucherry Bhim Sena bearing Registration No.1179/2005 represented by its Secretary one Nagamany, son of Arumugame and in W.P.No.20706 of 2024, the petitioner is one Minor. Ralalatchoumy, Represented by her mother Angalammalle (Natural Guardian).

4. Earlier, the order of the 2<sup>nd</sup> respondent impugned in W.P.No.4063 of 2025 was put in challenge before this Court in W.P.Nos.36579 of 2024 and W.M.P.Nos.39441, 39442 & 39448 of 2024 by one Puducherry Poorveega Attavanai Inathavar Urimai Pathukappu



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Iyakkam, represented by its Treasurer, M. Sudurshan. The Division Bench

consisting of Hon'ble Mr. Justice R.SUBRAMANIAN and Hon'ble Mr.

Justice C. KUMARAPPAN, had rejected the challenge by an order dated

02.12.2024. While dismissing the Writ Petition, they held as follows:-

“The memorandum that is impugned in the Writ Petition has been issued pursuant and pronouncement of a Division Bench of this Court in Siva Kenendy Johnson. I vs. Union of India and others in. In the said judgment, the Division Bench of this Court had considered earlier pronouncements of this court in P.Jeya v. Union of India as well as the judgment in State of Uttar Pradesh and others vs. Arvind Kumar Srivastava and others, reported in (2015) 1 SCC 347.

2. The Division Bench has also noticed that in S.Sumathy vs. Union of India, rep. by Secretary, Revenue, Government of Puducherry and another, dated 04.09.2023, this Court has taken a similar view that a person whose mother's origin is from Puducherry also belongs to Puducherry and a Community Certificate can be issued on the basis of the mother's origin. The order impugned only implements the judgment of a Division Bench of this Court.

3. We therefore see no reason to interfere with the order, the Writ Petition therefore fails and it is accordingly dismissed. There shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.”

5. Mr.P.R.Thiruneelakandan, appearing for the writ petitioner in W.P.No.4063 of 2025 pleads i) that though Mr.Nagamany was a Member of Puducherry Poorveega Attavanai Inathavar Urimai Pathukappu Iyakkam,



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he is entitled to file a separate Writ Petition to agitate his right; ii) he urges that the order passed by the Division Bench did not take into consideration a previous judgment of this Court in W.P.No.9280 of 2015, dated 02.11.2018 and iii) he states that the matter must be referred to a Full Bench as there is an apparent conflict between the two judgments.

6. The perusal of the judgement upholding the impugned order dated 02.12.2024 refers not only to a judgment of this Court in W.P.No.9586 of 2018, dated 04.09.2023, but also refers to a judgment of the Supreme Court in *State of Uttar Pradesh and Others Vs. Arvind Kumar Srivastava and Others, 2015 (1) SCC 347*. When the judgment in *P.Jeya' case AIR 2005 Mad 116* follows a Supreme Court judgement, we are afraid the question of reference to a Full Bench does not arise. This is because the Supreme Court has concluded the issue.

7. Repeated Writ Petitions filed by the same batch of persons adopting different *Avatars* is not permissible in law. It is a sheer abuse of process of Court. Initially, a Writ Petition was filed by a Larger Association.



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That Writ Petition was dismissed. The very same Association challenged another order passed by this Court, following the previous orders before the Supreme Court in S.L.P. (Civil) Diary No.56593 of 2024. The SLP was withdrawn and thereafter, like a rakkaite metamorphosis, the same group has adopted a new name and has filed W.P.No.4063 of 2025. For the change in litigant, there cannot be a change in law. As the impugned order has been upheld by a Division Bench already, nothing more needs to be done than to refer the said order and dismiss the Writ Petition.

8. At this stage, it is brought to our notice that contrary to the judgments of the Division Benches of this Court in

*(i) S.Sumathy vs. Union of India, rep. by Secretary, Revenue, Government of Puducherry and another [W.P.No.9586 of 2014] dated 04.09.2023,*

*(ii) Siva Johnson Kennedy.I vs. Union of India and another [W.P.No.34933 of 2023] dated 21.12.2023,*

*(iii) Brema.S vs. Union of India [W.P.Nos.34728 of 2024 etc, batch] dated 19.11.2024 [SLP preferred against this order being dismissed in S.L.P. (Civil) Diary No.56593 of 2024 dated 03.02.2025] and*



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***(iv) Puducherry Poorveega Attavanai Inathavar Urimai***

***Pathukappu Iyakkam, represented by its Treasurer, M. Sudurshan vs.***

***Secretary to the Government, New Delhi and others [W.P.No.36579 of 2024] dated 02.12.2024*** , the Government of Puducherry has passed an order, stating that origin of the father alone will have to be taken into consideration at the time of grant of caste certificates.

9. It is a settled position of law that a legislature can always remove the basis of an order, but the Legislature cannot pass an Act, which will overrule the judgments of the High Court and Supreme Court. When the Legislature itself is not empowered to overrule the judgments, the Executive is bound, hand and foot, by the judgments of the Constitutional Court.

10. It is surprising that the Government seems to alter the law laid down by the judgments of the Court, after having been a party to the said judgment and not having filed any appeal against those judgments. The Government of Puducherry, being a litigant, is as much bound by a



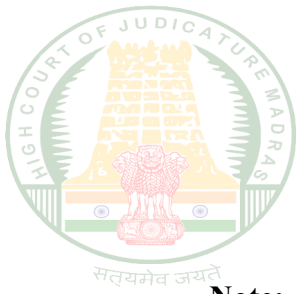
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judgment of this Court, as a private litigant. It is not open to the Government of Puducherry to alter the position and attempt to overrule the judgments of this Court by passing a Government Order. Hence, the respondents shall consider the individual applications filed by persons, claiming to belong to Scheduled Caste Community and pass orders on its own merits, taking into consideration the decision of the Division Bench of this Court in *Siva Johnson Kennedy's case [W.P.No.34933 of 2023] dated 21.12.2023* without driving the individual petitioners to file separate writ petitions as held by this Court in W.P.No.34933 of 2023.

11. With the above observations, these Writ Petitions are dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

(G.R.S., J.) (V.L.N., J.)  
22.05.2025  
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Index: Yes / No  
Internet: Yes / No  
Speaking Order/ Non Speaking Order  
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**Note:**

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To:

1. The Secretary to Government (Revenue)  
Government of Puducherry,  
Chief Secretariat, Puducherry,  
Union Territory of Pondicherry.
2. The Deputy Collector (Revenue)  
North Puducherry, Department of Revenue  
and Disaster Management,  
Government of Pondicherry.
3. The Tahsildar-cum-Executive Magistrate,  
Department of Revenue and Disaster Management,  
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**22.05.2025**