



WEB COPY



W.P. No. 4939 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2026

CORAM :

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.4939 of 2026

and

W.M.P. Nos.5513, 5515 and 5517 of 2026

P. Arul

...

Petitioner

Vs

1. The State of Tamil Nadu
Rep. by its Secretary to Government
Backward Classes, Most Backward Classes
and Minorities Welfare Department
Secretariat, St. George Fort
Chennai 600 009.
2. The State of Tamil Nadu
Rep. by its Secretary to Government
Human Resources and Management Department
Secretariat, St. George Fort
Chennai 600 009.
3. The Commissioner
Backward Classes Welfare
Chennai 600 005.
4. The Commissioner
Most Backward Classes and
Denotified Communities Welfare
Chennai 600 005.



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5. G. Bala Subramanian

6. K. Gnanaguru

7. K. Tamilarasu

8. N. Sankar

9. S. Anitha ... Respondents

Prayer: Writ Petition 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 passed by the first respondent in G.O.Ms.No.6, Backward Classes, Most Backward Classes and Minorities Welfare (MWRU (1)) Department dated 13/01/2026 and quash the same as illegal and consequently direct the 1st respondent to promote the petitioner to the post of District Backward Classes and Minorities Welfare Officer or its equivalent post on the basis of his notional seniority as fixed by the third respondent vide his proceedings in Se.Mu.No.A2/2922/2012-2 dated 5.1.2023.

For Petitioner : Mr.S.Venkatesh
for M/s.Ajmal Associates

For Respondents : Mr.P.Balathandayutham
Spl.G.P
for R.R.1 to 4.



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ORDER

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This petition has been filed seeking to quash the impugned order passed by the 1st Respondent in G.O. Ms. No.6, Backward Classes, Most Backward Classes and Minorities Welfare (MWRU (1) Department, dated 13.01.2026 and consequently, to direct the 1st respondent to promote the petitioner to the post of District Backward Classes and Minorities Welfare Officer or its equivalent post on the basis of his notional seniority as fixed by the 3rd Respondent vide his proceedings in Se. Mu. No.A2/ 2922/ 2012-2, dated 05.01.2023.

2. It is the case of the petitioner that the petitioner entered into service as Junior Assistant in the Backward Classes Department. Owing to prolonged administrative anomalies and inter-departmental disputes relating to ministerial staff absorption, the petitioner and similarly placed employees were denied timely promotions for several years, resulting in severe stagnation. Subsequently, the Department itself acknowledged the injustice and granted the petitioner notional promotions as Assistant and as Superintendent with corresponding notional seniority which continues to hold the field and has never been cancelled. As per the Special Rules for the Tamil Nadu Backward Classes and Most Backward Classes Welfare Service, the



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post of District Backward Classes and Minorities Welfare Officer requires passing the prescribed Accountant Tests – which the petitioner has passed; and six years of service as Superintendent which the petitioner satisfied reckoning from the notional date of 03.11.2014. While so, for the panel year 2025-2026, the first respondent issued GO.Ms.No.6 dated 13.01.2026 approving the promotion panel but excluded the petitioner's name and included the names of his juniors. The impugned panel was prepared without publishing the current seniority list, without issuing a temporary panel inviting objections, without considering the petitioner's representations. Challenging the said G.O. Ms.No.6, dated 13.01.2026, this writ petition has been filed.

3. Learned counsel for the petitioner submitted that admittedly, the private respondents are juniors to the petitioner. However, their names have been included for the promotional panel list for the post of District Backward classes and Minority Welfare Officer. Hence, this Court may issue a direction to the respondents to quash the Government Order viz., G.O. Ms. No.6 and thereby, he prayed for allowing this writ petition.

4. Learned Special Government Pleader appearing for the respondents 1 to 4 submitted that if at all the petitioner aggrieved as against the impugned



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G.O, he is entitled to prefer an appeal before the first respondent. Hence, the present writ petition is liable to be dismissed.

5. Heard the learned counsel for both sides and perused the materials available on record. Since no adverse orders are passed as against the respondents 5 to 9, notice to the said respondents is dispensed with.

6. As rightly contended by the learned Special Government Pleader that there is an appellate remedy available to the petitioner before the first respondent. Further, it is evident that there are disputed questions of fact involved and the same cannot be adjudicated under Article 226 of the Constitution of India, and such being the position, the the request put forth by the petitioner seeking quashment of the impugned G.O. cannot be entertained. However, this Court is inclined to grant liberty to the petitioner to approach the first respondent by way of filing an appeal to work out his remedy.

7. For the reasons aforesaid, this Court, without interfering with the impugned G.O., permits the petitioner to make an appeal before the first respondent, within a period of two weeks from the date of receipt of a copy of



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this order. Upon filing the same, the first respondent shall consider and pass orders on the appeal, within a period of six weeks thereafter.

8. With the above directions, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

18.02.2026

Index: Yes/No

Neutral Citation : Yes / No

vsi2

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