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WP No. 9758 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-03-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

**WP No. 9758 of 2026 and
W.M.P.Nos.10529 and 10530 of 2026**

Pudhucherry Bhim Sena
Reg. No.1179/2005),
Rep. by its Secretary,
No.2, Pudu Nagar, Poriyur pet,
Villianur (post) Puducherry-65 110

..Petitioner(s)

Vs

1. Union Of India
Rep. by its Secretary,
Ministry of Social Justice and Empowerment,
New Delhi.
2. The Chief Secretary,
Government of Puducherry,
Puducherry.
3. The Secretary to Government,
Adi Dravidar Welfare and ST Welfare
Department, Government of Puducherry.
4. The Director
Adi Dravidar Welfare Department,
Government of Puducherry.

..Respondent(s)

Prayer: Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned Government order G.O.Ms. No.08/2025/ ADW and STW dated 03.04.2025 passed by the 3rd respondent and quash the same insofar



WP No. 9758 of 2026

as Clause 3(b) permits eligibility based on continuous residence of not less than five years consequently forbear the respondents from extending SCSP Funded Scheduled Caste-Specific welfare benefits in Puducherry to migrant Scheduled Caste persons from other states.

For Petitioner(s):

Mr.P.R.Thiruneelakandan

For Respondent(s):

Mr.Ravi Meenakshi Sundaram for R1
Senior Panel Counsel
Mr.V.Vasanthakumar for R2 to R4
Additional Government Pleader

ORDER

With consent on either side, the main Writ Petition itself is taken up for final disposal.

2. The present Writ Petition has been filed for issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned Government order G.O.Ms. No.08/2025/ ADW and STW dated 03.04.2025 passed by the 3rd respondent and quash the same insofar as Clause 3(b) permits eligibility based on continuous residence of not less than five years consequently forbear the respondents from extending SCSP Funded Scheduled Caste-Specific welfare benefits in Puducherry to migrant Scheduled Caste persons from other states.



3. According to the petitioner, the petitioner is the Secretary of the registered association representing Scheduled Caste Persons of Puducherry Origin, governed by Article 341 of the Constitution of India. Further, in strict adherence to the Presidential Order, the Government of Puducherry issued G.O.Ms.No.28 dated 02.02.1977 followed by circulars dated 22.02.1985 and 06.01.1993 clarifying that Scheduled Caste Persons migrating from other states shall retain their scheduled caste status only in their state of origin and are not entitled to scheduled caste specific welfare, educational or scholarship benefits in Puducherry. While so, the 3rd respondent issued G.O.Ms.No.08/2025/ADW & STW dated 03.04.2025 introducing a new welfare scheme titled Dr.B.R.Ambedkar's Yatra Scheme – 2025 fully funded from public exchequer and scheduled caste sub-plan (SCSP) allocations. Since the same introduces an artificial residence criterion seeking to do indirectly what is constitutionally impermissible, the petitioner has come up with the present Writ Petition.

4. The learned counsel for the petitioner would submit that the 2nd respondent issued an impugned Notification dated 03.04.2025 for providing financial assistance to the Scheduled Castes / Scheduled Tribes people for visiting of historical places located in India connected with the life of Dr.Baba Saheb Ambedkar. However, the grievance of the petitioner is that the



eligibility fixed must follow to the persons residing at Union Territory by virtue of birth and continuous residence of not less than five years. The petitioner has no grievance of granting the scheme to the residents of Puducherry, however, the grievance is that the said scheme shall not be granted to the migrant people, who are residing for more than five years, since the same will encourage other state people to reside in Puducherry and utilise the scheme according to their whims and fancies, therefore, the present Writ Petition has been filed.

5. The learned Senior Panel Counsel appearing for the 1st respondent as well as the learned Additional Government Pleader appearing for the respondents 2 to 4 would submit that it is the policy framed by the Government and it is their domain to fix the eligibility criteria and the petitioner has no locus standi to question the eligibility fixed by the respondents, thereby pleaded to dismiss the petition.

6. Heard the learned counsel appearing for the petitioner and the learned senior panel counsel for the 1st respondent and the learned Additional Government Pleader appearing for the respondents 2 to 4 and perused the entire documents placed on record.



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7. On a perusal of the documents placed on record it is seen that the President of India issued Constitution (Puducherry) Scheduled Castes Order dated 05.03.1964 restricting Scheduled Caste Status to the persons resident in Puducherry and the same was confirmed by the Government of Puducherry vide G.O.Ms.No.28 dated 02.02.1977. Further, vide order dated 22.02.1985, the Government of Puducherry issued circular reiterating that migrant scheduled castes are not entitled to the welfare and educational benefits in Puducherry. Now, the 3rd respondent issued the Impugned G.O.Ms.No.08/2025/ADW& STW, introducing Dr.B.R.Ambedkar's Yatra Scheme – 2025 funded through SCSP allocations, prescribing eligibility based on birth in Puducherry or continuous residence of not less than five years.

8. It is pertinent to point out that the policy has been framed according to the scheme by the appropriate authority and it is domain of the authority to fix the eligibility, therefore, the petitioner has locus standi to question the eligibility fixed by the respondent.

9. Considering the above said facts and circumstances of the case and taking note of the fact that the policy has been framed according to the scheme by the appropriate authority and hence, it is domain of the authority to



WP No. 9758 of 2026

fix the eligibility, therefore, the petitioner has *locus standi* to question the eligibility fixed by the respondent. Accordingly, the present Writ Petition stands dismissed. Consequently, W.M.P.No.10529 of 2026 filed to dispense with the production of the impugned G.O.Ms.No.08/2025/ADWand STW dated 03.04.2025 passed by the 3rd respondent is ordered as prayed for and W.M.P.No.10530 of 2026 is closed. No costs.

10-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

ssd

To

1. Union Of India
Rep. by its Secretary,
Ministry of Social Justice and Empowerment,
New Delhi.
2. The Chief Secretary,
Government of Puducherry,
Puducherry.
3. The Secretary to Government,
Adi Dravidar Welfare and ST Welfare
Department,
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4. The Director
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WEB COPY



WP No. 9758 of 2026

M.DHANDAPANI, J.

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WP No. 9758 of 2026

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