



**W.P(MD) No.5716 of 2017**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**WEB COPY**

**Date : 11.03.2026**

**CORAM**

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN  
AND  
THE HONOURABLE MS.JUSTICE R.POORNIMA**

**W.P(MD) No.5716 of 2017  
&  
W.M.P.(MD)No.4571 of 2017**

**K.Mariselvam**

**... Petitioner**

**Vs.**

- 1.State of Tamil Nadu,  
Rep. by its Principal Secretary to the Government,  
Backward Classes, Most Backward Classes and Minorities,  
Welfare Department,  
Secretariat,  
Chennai-9.
- 2.The Commissioner of Backward Classes,  
Most Backward Classes  
and Minorities Welfare,  
O/o.the Commissioner of Backward Classes,  
Most Backward Classes,  
Ezhilagam, Chepauk,  
Chennai-5.
- 3.The District Collector,  
Tirunelveli District,  
Tirunelveli.



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4.The District Backward Classes,  
Most Backward Classes and  
Minorities Welfare Officer,  
Tirunelveli District.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Declaration, to declare the Rule 3 of the Tamil Nadu Backward Classes Welfare Subordinate Services issued vide the Government Order in G.O.(Ms).No.46 dated 01.08.2014 on the file of the Respondent No.1 as illegal and unconstitutional and consequently for a direction, directing the Respondents to grant promotion to the Petitioner in the post of Driver by way of considering the holders of the post of Watchman-cum-Servant and Cook in the Hostels functioning under the control of the fourth respondent in equal footing based on their seniority within the time period stipulated by this Court.

For Petitioner : Mr.G.Karthick  
for Mr.S.Rajasekar

For Respondents : Mr.Vinodh  
Government Advocate



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**ORDER**

(Order of the Court was made by **G.R.SWAMINATHAN, J.**)

The petitioner has since been promoted as jeep driver. However, the legal issue raised in the writ petition is left open. The Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

**(G.R.S., J.)      (R.P., J.)**  
**11.03.2026**

Index : Yes / No  
Internet : Yes / No  
NCC : Yes / No  
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To

- 1.The Principal Secretary to the Government,  
Backward Classes, Most Backward Classes and Minorities,  
Welfare Department,  
Secretariat,  
Chennai-9.
- 2.The Commissioner of Backward Classes,  
Most Backward Classes  
and Minorities Welfare,  
O/o.the Commissioner of Backward Classes,  
Most Backward Classes,  
Ezhilagam, Chepauk, Chennai-5.

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**AND**  
**R.POORNIMA, J.**

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- 3.The District Collector,  
Tirunelveli District,  
Tirunelveli.
- 4.The District Backward Classes,  
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