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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **08.06.2026**

CORAM:

THE HONOURABLE **MR.JUSTICE N.SATHISH KUMAR**
AND
THE HONOURABLE **MR.JUSTICE M.JOTHIRAMAN**

W.P.(MD)No.14985 of 2026

and

W.M.P.(MD)No.11268 of 2026

Jenesh Sathees Mathew

... Petitioner

Vs.

1.The District Collector,
Kanyakumari District.

2.The Sub-Collector,
Padmanabhapuram,
Kanyakumari District.

3.Tahsildar,
Vilavancode Taluk,
Kanyakumari District.

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records in No.Aa4/2637/2026 dated 27.05.2026 on the file of the third respondent herein and quash the same and direct the respondents herein to issue OBC-NCL certificate to the petitioner pursuant to his appeal dated 21.05.2026.



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For Petitioner : Mr.A.Saranavan
For Respondents : Mr.M.S.Parthiban,
Government Advocate

ORDER

(Order of the Court was made by **N.SATHISH KUMAR, J.**)

This writ petition has been filed challenging the order passed by the third respondent dated 27.05.2026 and to direct the respondents herein to issue OBC-NCL certificate to the petitioner pursuant to his appeal dated 21.05.2026.

2.The learned counsel appearing for the petitioner would submit that for the year 2024-2025, OBC certificate has been issued to the petitioner. Having issued the certificate in the previous year, the respondents have now rejected the present application on the ground that the salary of the petitioner's father exceeds the prescribed income limit. He has also relied on the judgment of the Hon'ble Supreme Court in Civil Appeal Nos.2827-2829 of 2018 dated 11.03.2026 and the relevant portion is extracted hereunder:-

21.15. However, the 1993 OM expressly provides that pending evaluation of equivalence or



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comparability of posts vis-à-vis Government services, the Income / Wealth Test under Category VI alone would apply. This is significant. The specific criteria for disentitlement under II C, namely direct recruitment to a post equivalent to Class I / Group A, or promotion to such post before the age of 40, remain inoperative until equivalence is determined. Thus, in the absence of such evaluation, the entire category II C cannot be automatically deprived of reservation; exclusion, if any, can only be under Category VI. Category VI, which embodies the Income / Wealth Test operates as a residual filter. Explanation (i) under this category specifically provides that income from salaries and income from agricultural land shall not be clubbed with income from other sources for the purpose of computing gross annual income. Explanation (ii) pertains to the periodic revision of the prescribed income limit. The plain language of these explanations makes it clear that salary income and agricultural income are consciously kept outside the common pool while determining exclusion under the Income / Wealth Test.

3.The learned Government Advocate appearing for the respondents has filed a status report and would submit that the income certificate of the petitioner's father has not been annexed while applying



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for the certificate. The petitioner's father's income is above Rs.87 Lakhs and therefore, he is not entitled for OBC certificate and hence, the application of the petitioner came to be rejected.

4.We have considered the submissions made on either side and perused the records carefully.

5.The status report filed by the respondents indicates that the petitioner had not enclosed the income certificate along with the application. In the absence of the income certificate and other supporting documents, the authorities appear to have arrived at the conclusion that the income exceeds the prescribed limit.

6.In view of the above, the petitioner is permitted to submit a fresh application along with the income certificate, income tax particulars and a copy of the judgment of the Hon'ble Supreme Court in Civil Appeal Nos.2827 to 2829 of 2018, dated 11.03.2026, tomorrow, ie., on 09.06.2026. On receipt of such application and supporting documents, the third respondent shall consider the same on its own merits, taking into account the income certificate and the guidelines



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issued by the Hon'ble Supreme Court in Civil Appeal Nos.2827-2829 of 2018 dated 11.03.2026, and pass appropriate orders on or before 10.06.2026.

7.With the above directions, this writ petition is disposed of.

No costs. Consequently, connected miscellaneous petition is closed.

[N.S.K., J.] & [M.J.R., J.]
08.06.2026

Index :Yes/No

Internet :Yes

GNS

Note: Issue Order copy today, ie., 08.06.2026

To

1.The District Collector,
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2.The Sub-Collector,
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Kanyakumari District.

3.Tahsildar,
Vilavancode Taluk,
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N.SATHISH KUMAR, J.
AND
M.JOTHIRAMAN, J.

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