



W.P(MD) No.5716 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 11.03.2026

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**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.



W.P(MD) No.5716 of 2017

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



W.P(MD) No.5716 of 2017

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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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W.P(MD) No.5716 of 2017

G.R.SWAMINATHAN, J.
AND
R.POORNIMA, J.

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3.The District Collector,
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W.P(MD) No.5716 of 2017

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