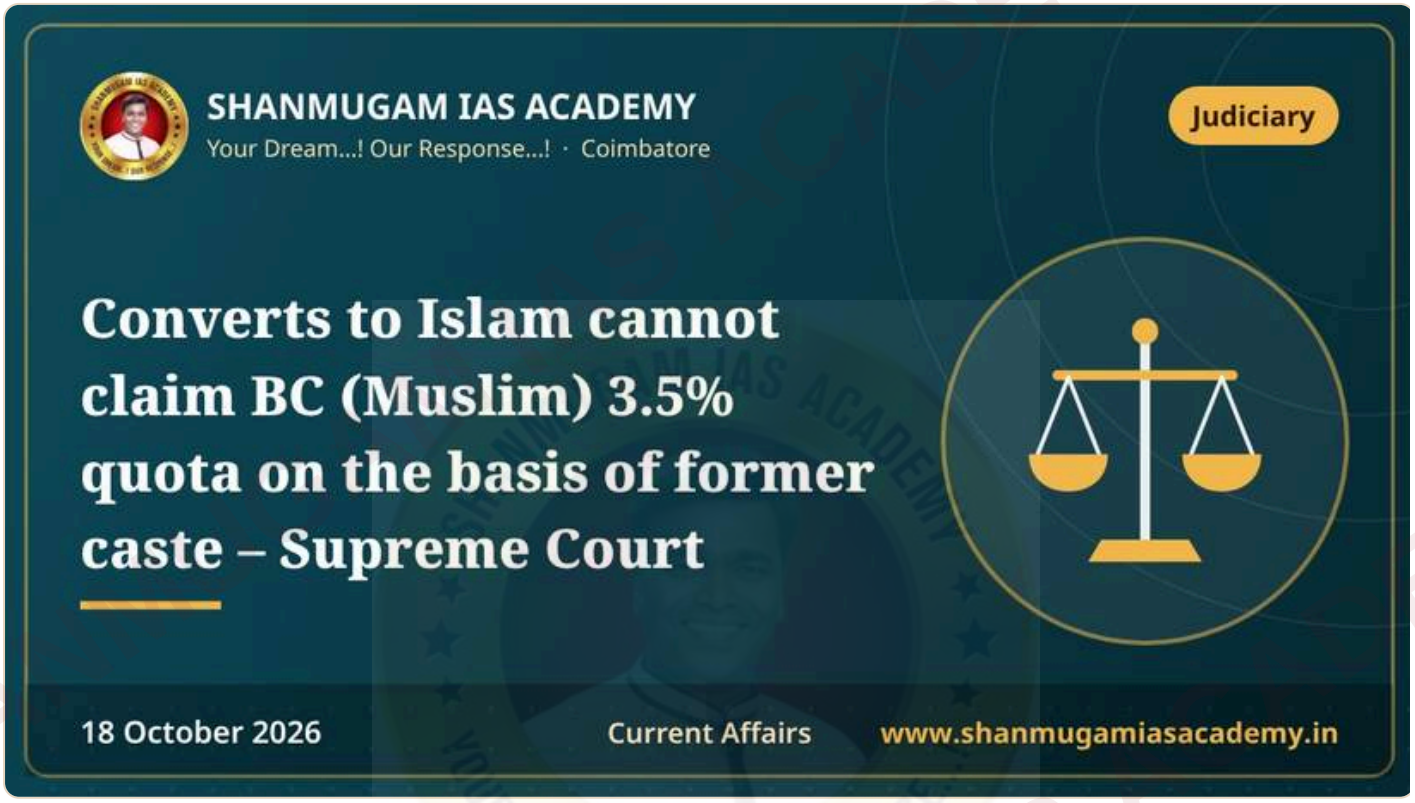
Converts to Islam cannot claim BC (Muslim) 3.5% quota on the basis of former caste – Supreme Court

Judiciary · 18 October 2026 · https://www.shanmugamiasacademy.in/current-affairs-english/2026/10/18



News

On 15 Oct 2026 (Thursday) the Supreme Court upheld the Madras High Court (Madurai Bench) judgment of 25 June 2026 (Justices G.R. Swaminathan and P.B. Balaji) that struck down Tamil Nadu's G.O.(Ms) No. 31 of 9 March 2024, which allowed converts to Islam from Hindu BC, MBC, Denotified Communities and SC to be treated as BC (Muslims); it dismissed the State's SLP. Bench: Justices Prashant Kumar Mishra and Shree Chandrashekhar. It held that backwardness from the former social order cannot be carried into a backward class of the new religion. Note: the 3.5% BC (Muslim) internal quota itself was NOT struck down; it continues. The case arose from Sameer Ahamed, who converted in 2015 and sought a 'Muslim Lebbai' community certificate.

Key facts

Verdict	15 Oct 2026 – Supreme Court; Justices P.K. Mishra, Shree Chandrashekhar
Outcome	Tamil Nadu's SLP dismissed; HC judgment upheld
Order quashed	G.O.(Ms) No. 31, 9 Mar 2024 – BC(M) certificates for converts
High Court	Madurai Bench, 25 Jun 2026 – Justices G.R. Swaminathan, P.B. Balaji
3.5% quota	2007 Act; within BC 30% – continues (not struck down)

BC(M) groups	Ansar, Dekkani Muslims, Dudekula, Labbai (Rowther, Marakayar), Mappilla, Sheik, Syed

Background

- Constitution: Article 15(4) – special provisions for socially and educationally backward classes and SC/ST (First Amendment, 1951, following Madras State's 'Champakam Dorairajan' case). Article 16(4) – reservation in public posts for backward classes. Article 340 – President may appoint a Backward Classes Commission. Article 342A – 102nd Amendment (2018); the 105th Amendment (2021) restored States' power to prepare their own lists.
- Case law: Indra Sawhney (Mandal, 1992) – 50% ceiling, creamy-layer exclusion. Constitution (Scheduled Castes) Order, 1950 – only Hindus, Sikhs (1956) and Buddhists (1990) can be SC. Vanniyar 10.5% internal quota (2021 Act) – struck down by the Supreme Court on 31 March 2022.
- Tamil Nadu's 69%: BC 26.5% + BC (Muslim) 3.5% + MBC/DNC 20% + SC 18% (incl. 3% preferential for Arunthathiyar) + ST 1% = 69%. The 1993 Act (Act 45 of 1994) was placed in the Ninth Schedule by the 76th Amendment (1994). The 3.5% BC(M) quota comes from the Tamil Nadu Backward Class Christians and Backward Class Muslims (Reservation) Act, 2007.
- Tamil Nadu BC Commissions: first – A.N. Sattanathan (1969; report 1970); second – J.A. Ambasankar (1982; report 1985). The Justice Party government's 1921 'Communal G.O.' was among India's earliest communal-reservation orders.

Tamil Nadu link: the case is entirely from Tamil Nadu – the G.O. was the State's, the judgment came from the Madurai Bench of the Madras High Court (set up in 2004). Despite the Mandal 50% ceiling, Tamil Nadu continues 69% reservation with Ninth Schedule protection.

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