APHC010466472018

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3333]
(Special Original Jurisdiction)

MONDAY, THE 27th DAY OF JULY 2026

PRESENT

THE HONOURABLE SMT JUSTICE V.SUJATHA

WRIT PETITION NOs: 21869/2018 & 13376/2020

WRIT PETITION NO: 21869/2018

Between:

1. R. LAKSHMI DEVI, W/O RAMESH, AGED ABOUT 35 YEARS, R/O VALASAPALLI VILLAGE, YERRAGUNTLA MANDAL, KADAPA DISTRICT.

...PETITIONER

AND

1. THE STATE OF A P, REP. BY ITS PRINCIPAL SECRETARY WDCW AND DW (ICDS) DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATHI GUNTUR DISTRICT.
2. THE DIRECTOR, O/O THE DIRECTOR OF WOMEN DEVELOPMENT AND CHILD WELFARE AND DISABLED WELFARE, ANDHRA PRADESH.
3. THE DISTRICT COLLECTOR /CHAIRMAN, SELECTION COMMITTEE, YSR KADAPA DISTRICT, KADAPA.
4. THE PROJECT DIRECTOR, DISTRICT WOMEN AND CHILD DEVELOPMENT AGENCY (ICDS), YSR KADAPA DISTRICT.
5. THE CHILD DEVELOPMENT PROJECT OFFICER, KADAPA, YSR KADAPA DISTRICT

...RESPONDENT(S):

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to to declaring the action of the Respondents in not transferringt the petitioner from Valasapalli anganwadi centre to kolimi veedhi anganwadi centre, 4th and 5 ward, kamalapuram village where the anganwadi worker post is vacant and not considering the representation of the petitioner dated 21-05-2018 for the same is illegal arbitrary and violation of the Article 14 a nd 21 of the Constitution of India and consequently direct the Respondents to transfer the petitioner from Valasapalli anganwadi centre to kolimi veedhi anganwadi centre, kamalapuram village where the anganwadi worker post is vacant and pass

IA NO: 1 OF 2018

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents to consider the representation of the petitioner dated 21-05-2018 for tansferring the petitioner from Valasapalli anganwadi centre to kolimi veedhi anganwadi centre, 4th and 5 ward, kamalapuram village where the anganwadi worker post is vacant pending disposal of the above writ petition and pass

IA NO: 2 OF 2018

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to receive the G.O.M.S.No.2 dt 7-1-2009 as additional material paper in the W.P 16470/2018 and its I.A and to pass

IA NO: 1 OF 2023

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased pleased to receive all the material papers as reports of the 5th respondent letter No.99/SA/2019, dated 05-01-2019, recent community, negativity and date of birth certificates, income certificates and also resident certificates given by the Tahsildar, Aadhar card, rice card, voter card and slip and G.O.Ms.No.2 dated 07-01-2009 as additional material paper in the W.P.21869/2018 and its I.A and to pass

Counsel for the Petitioner:

1. SRIDHAR TUMMALAPUDI

Counsel for the Respondent(S):

1. GP FOR WOMEN DEV CHILD WELFARE(AP)

WRIT PETITION NO: 13376/2020

Between:

1. R LAKSHMI DEVI, W/O.RAMESH AGE. 39 YEARS R/O. D.NO.2/134, KOLIMI VEEDHI, KAMALAPURAM VILLAGE AND MANDAL,YSR KADAPA DISTRICT

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, WOMEN AND CHILD WELFARE DEPARTMENT, SECRETARIAT, VELAGAPUDI, GUNTUR DISTRICT.
2. THE COMMISSIONER WOMEN AND CHILD WELFARE DEPARTMENT, JAMPANI TOWERS, AMARAVATHI ROAD, GUNTUR.
3. THE DISTRICT COLLECTOR AND CHAIRMAN, DISTRICT SELECTION COMMITTEE OF ANGANWADI WORKERS AND HELPERS,YSR KADAPADISTRICT
4. THE PROJECT DIRECTOR, DISTRICT WOMEN AND CHILD WELFARE DEPARTMENT, YSR KADAPADISTRICT.
5. THE CHILD DEVELOPMENT PROJECT OFFICER, ICDS PROJECT, KAMALAPURAM, YSR KADAPA DISTRICT

...RESPONDENT(S):

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to to issue appropriate Writ, Order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the

respondents issued Notification of the 4th respondent Vide Lr Ref. No. WDCW-ADMDAPT/3/2019-SA-PD-KDP, DT.27-6-2020 of Kolimiveedi Anganwadi centre, Kamalapuram,Kamalapuram ICDS Project, YSR Kadapa Districtas arbitrary, illegal against Art. 14, 19 and 21 of the Constitution of India and violation of Principles of natural justice and consequently set aside the Notification of the 4th respondent Vide Lr Ref. No. WDCW-ADMDAPT/3/2019-SA-PD-KDP, DT.27-6-2020 of Kolimiveedi Anganwadi centre, Kamalapuram,Kamalapuram ICDS Project, YSR Kadapa District and pass such other order or orders as

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay the Notification issued by the 4th respondent Vide Lr Ref. No. WDCW-ADMDAPT/3/2019-SA-PD-KDP, DT:27-6-2020 of Kolimiveedi Anganwadi centre, Kamalapuram,Kamalapuram ICDS Project, YSR Kadapa Districtpending disposal of the above Writ Petition and pass such other order or

Counsel for the Petitioner:

1. SRIDHAR TUMMALAPUDI

Counsel for the Respondent(S):

1. GP FOR WOMEN DEV CHILD WELFARE

The Court made the following:

COMMON ORDER:

Both these petitions are filed by the same petitioners and the issue involved in these petitions is one and the same. Therefore, I am of the view that it is appropriate to decide both the petitions by way of this common order taking W.P.No.13376 of 2020 as leading petition.

2. W.P.No.13376 of 2020 came to be filed under Article 226 of the Constitution of India, seeking the following prayer:

> "…to issue appropriate Writ, Order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the respondents issued Notification of the 4th respondent Vide Lr Ref. No. WDCW-ADMDAPT/3/2019-SA-PD-KDP, DT.27-6-2020 of Kolimiveedi Anganwadi centre, Kamalapuram,Kamalapuram ICDS Project, YSR Kadapa District as arbitrary, illegal against Art. 14, 19 and 21 of the Constitution of India and violation of Principles of natural justice and consequently set aside the Notification of the 4th respondent Vide Lr Ref. No. WDCW-ADMDAPT/3/2019-SA-PD-KDP, DT.27-6-2020 of Kolimiveedi Anganwadi centre, Kamalapuram,Kamalapuram ICDS Project, YSR Kadapa District and pass…"

3. The petitioner was appointed as anganwadi worker for Anganwadi centre Code-I, Valasapalli road, Yerragnutla mandal, YSR Kadapa district vide proceedings dated 20.09.2007 of the 5th respondent and ever since, she has been discharging her duties to the utmost satisfaction of her superiors. Subsequent to the marriage of the petitioner,

she started residing in Kamalapuram, YSR Kadapa district along with her husband and has been attending duties in Anganwadi centre code-I, Valasapalli road, Yerragnutla mandal, YSR Kadapa district, which is 40 kilometers away from Kamalapuram. As such, the petitioner submitted a representation dated 21.05.2018 to respondent Nos.4 and 5 to consider her case for transfer to Kolimi street anganwadi centre, Kamalapuram. Aggrieved by the inaction of the respondents in not considering her representation, the petitioner filed W.P.No.21869 of 2018 seeking the following relief:

> "…to declaring the action of the Respondents in not transferringt the petitioner from Valasapalli anganwadi centre to kolimi veedhi anganwadi centre, 4th and 5 ward, kamalapuram village where the anganwadi worker post is vacant and not considering the representation of the petitioner dated 21-05-2018 for the same is illegal arbitrary and violation of the Article 14 a nd 21 of the Constitution of India and consequently direct the Respondents to transfer the petitioner from Valasapalli anganwadi centre to kolimi veedhi anganwadi centre, kamalapuram village where the anganwadi worker post is vacant and pass…"

4. Pending the said writ petition, without considering the case of the petitioner, the 4th respondent issued the impugned notification dated 27.06.2020 calling for applications from eligible candidates for filling up the post of anganwaadi worker in Kolimiveedi anganwadi centre,

Kamalapurm ICDS Project Area, YSR Kadapa district. Aggrieved by the same, the present writ petition is filed.

5. The 4th respondent has filed a detailed counter affidavit admitting the appointment of the petitioner as anganwadi worker and further stated that the post of anganwadi worker at Kolimi Street anganwadi centre, Kamalapuram fell vacant on 02.11.2017 due to termination of the previous anganwadi worker. Consequently, the petitioner and one Smt. S. Krishnavenamma, Anganwadi helper, Putlampalli anganwadi centre, Kamalapuram mandal have submitted applications seeking their transfer to Kolimi street anganwadi centre. As the case of said S. Krishnavenamma was not being considered for transfer, she filed W.P.No.16470 of 2018 wherein, this Court passed an interim order on 01.05.2018 directing the respondent authorities to consider the case of the said S. Krishnavenamma for promotion to the post of anganwadi worker in existing vacant post at anganwadi centre, Kolimi street, Kamalapuram. Accordingly, the said S. Krishnavenamma was appointed as anganwadi worker at Kolimi street anganwadi centre.

6. It is further stated in the counter affidavit that as per G.O.Ms.No.2, WDCW&DW department, dated 07.01.2009, Government of India clearly stipulated that the anganwadi worker should be a local person/reside in the same habitation so as to discharge the duties

properly; however taking into consideration the representation of anganwadi workers/helpers, the CDPOs/PDs shall obtain the requests of those non-local anganwadi workers and helpers for posting in their native/husbands village and shall maintain a register accordingly and ensure that as and when a vacancy arises in such habitation, their requests shall be considered on priority. As the petitioner was appointed as anganwadi worker at Valasapalli road anganwadi centre based on her nativity certificate, she is not eligible for transfer to the vacant post of anganwadi centre at Kolimi street angawnadi centre. Hence requested to dismiss the writ petition.

7. Heard Sri. Sridhar Tummalapudi, learned counsel for the petitioner and learned Assistant Government Pleader for Women Development and Child Welfare.

8. Perused the entire material available on record. During the course of arguments, learned counsel for the petitioner, while referring to G.O.Ms.No.2, dated 07.01.2009 requested this Court to direct the respondents to consider the case of the petitioner for transfer to any anganwadi centre in Kamalapuram habitation, YSR Kadapa district as and when vacancy arises in the post of anganwadi worker. On such submission, learned Assistant Government Pleader submitted that the

case of the petitioner would be considered in accordance with G.O.Ms.No.2, dated 07.01.2009.

9. In view of the same, instead of going into merits of the case, these writ petitions are disposed of by directing the respondent authorities to consider the case of the petitioner for transfer to any anganwadi centre in Kamalapuram habitation, YSR Kadapa district, as and when vacancy arises, in accordance with G.O.Ms.No.2, WDCW&DW department, dated 07.01.2009.

10. Accordingly, with the above directions, these writ petitions are disposed of. There shall be no order as to costs.

Consequently, Miscellaneous Petitions, if any, pending in these Petitions shall stand closed.

JUSTICE V.SUJATHA

27.07.2026
Gss