

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

MONDAY, THE 28TH DAY OF SEPTEMBER 2015/6TH ASWINA, 1937

WP(C).No. 29170 of 2015 (U)

PETITIONER(S):

**LEENA A.S, WORKER, ANGANWADI NO.155
WARD NO. VII, AMMANOORKONAM, PALLICHAL PANCHAYATH
THIRUVANANTHAPURAM DIST.,
RESIDING AT KADAYARA PUTHEN VEEDU
MUKKAMPALAMOODU, NARUVAMOODU
THIRUVANANTHAPURAM DIST.**

**BY ADVS.SRI.SUMAN CHAKRAVARTHY
SMT.K.R.RIJA**

RESPONDENT(S):

- 1. STATE OF KERALA, RETP. BY ITS SECRETARY
DEPARTMET OF SOCIAL WELFARE,
GOVT. SECRETARIAT, THIRUVANANTHPURAM 695 001**
- 2. THE STATE DIRECTOR, CHILD DEVELOPMENT PROJECT (ICDS)
THIRUVANANTHAPURAM – 695 001.**
- 3. THE DISTRICT SOCIAL WELFARE OFFICER
THIRUVANANTHAPURAM – 695 001.**
- 4. THE BLOCK PROJECT OFFICER,
CHILD DEVELOPMENT PROJECT
(ICDS), ICDS OFFICE, NEMOM
THIRUVANANTHAPURAM – 695 001.**

R BY GOVERNMENT PLEADER SMT. M.J. RAJASREE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 28-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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APPENDIX

PETITIONERS EXHIBITS:

EXT.P1	TRUE COPY OF THE REPRESENTATION DATED 10.03.14
EXT.P2	COPY OF THE REPRESENTATION DATED 21.4.15
EXT.P3	COPY OF THE COMMUNICATION DATED 14.5.15 NUMBER B/845/2015.
EXT.P4	COPY OF THE COMMUNICATION DATED 22.2.14
EXT.P5	COPY OF THE COMMUNICATION DATED 10.6.14
EXT.P6	COPY OF THE MEDICAL CERTIFICATE DATED 27.3.15
EXT.P7	COPY OF THE CERTIFICATE DATED 10.3.14.

RESPONDENTS EXHIBITS: **NIL**

// TRUE COPY //

PA TO JUDGE.

SB

K. VINOD CHANDRAN, J.

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Dated this the 28th day of September, 2015

J U D G M E N T

The petitioner is aggrieved with Ext.P3 in which it is stated by the 3rd respondent that the transfer sought for by the petitioner cannot be considered since, there is a ban on transfers. The petitioner, an Anganwadi worker now working at centre No.89 has sought for a transfer to Centre No.88 on medical grounds. The contention was that the Centre No.88 is quite near to the petitioner's residence and due to her medical condition, she cannot undertake long journeys. However, relying on a ban on transfers, Ext.P3 was issued.

2. The learned Government Pleader submits that there was a ban on transfers ordered by the Government pursuant to a selection to the post of Anganwadi workers. The various Government Orders were challenged in a batch of writ

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petitions and common judgment in in W.P.(C) No.25614 of 2009 and connected matters, dated 24.07.2015 was passed. Admittedly, the Government Order by which a ban on transfers was effected, has been set aside by this Court.

3. In such circumstance, as of now, the transfer guidelines applicable to Anganwadi workers squarely apply and it is only proper that the 3rd respondent consider the request of the petitioner in accordance with such transfer guidelines. The petitioner shall appear before the 3rd respondent on 07.10.2015 at 11 a.m and after affording an opportunity of hearing, the request shall be considered in accordance with the transfer guidelines within a period of two weeks from the date of hearing.

The writ petition is disposed of.

**Sd/-
K. VINOD CHANDRAN,
JUDGE**

SB

// true copy //

P.A to Judge