

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

FRIDAY, THE 4TH DAY OF SEPTEMBER 2015/13RD BHADRA, 1937

WP(C).No. 36997 of 2010 (Y)

PETITIONER(S):

SUJAKUMARI, D/O.RAGHAVAN PILLAI,
GOKULAM, KALAPPILA, CHEPRA.P.O.
VELIYAM, KOLLAM.

BY ADV. SRI.C.RAJENDRAN

RESPONDENT(S):

1. UNION OF INDIA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT OF INDIA,
MINISTRY OF WOMEN AND CHILD DEVELOPMENT,
SASTHRI BHAVAN, NEW DELHI-110 001.
2. STATE OF KERALA,
REPRESENTED BY ITS SECRETARY TO GOVERNMENT,
SOCIAL WELFARE DEPARTMENT, STATE SECRETARIATE,
THIRUVANANTHAPURAM-695 001.
3. THE DIRECTOR OF SOCIAL WELFARE,
DIRECTORATE OF SOCIAL WELFARE, VIKAS BHAVAN,
THIRUVANANTHAPURAM. 695 001.
4. THE BLOCK PANCHAYATH,
KOTTARAKKARA BLOCK, ETC.P.O., THRIKKANNAMANGALAM,
KOTTARAKKARA, REPRESENTED BY ITS SECRETARY,
PIN-691 506.
5. VELIYAM GRAMA PANCHAYATH,
ODANAVATTOM.P.O., VELIYAM, KOLLAM. PIN-691 512.
6. INTEGRATED CHILD DEVELOPMENT SERVICE
OFFICER, INTEGRATED CHILD DEVELOPMENT SERVICE OFFICE,
KOTTARAKKARA, KOLLAM DISTRICT-691 506.
7. PROJECT OFFICER,
CHILD DEVELOPMENT PROJECT, HEAD POST OFFICE,
KOTTARAKKARA-691 506.

R1 BY ADV. SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL
R2,3,6,7 BY GOVERNMENT PLEADER SRI.SOJAN JAMES
R5 BY ADV. SRI.S.SHANAVAS KHAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 04-09-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1. TRUE COPY OF THE CERTIFICATE

**EXHIBIT P2. TRUE COPY OF THE CERTIFICATE ISSUED BY PRESIDENT OF VELIYAM
GRAMA PANCHAYATH, DT.27/10/98**

EXHIBIT P3. TRUE COPY OF THE CERTIFICATE

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 36997 of 2010

Dated this the 4th day of September, 2015

J U D G M E N T

Aggrieved by the inaction on the part of respondents 4 to 6 in appointing the petitioner as Anganwadi Worker in the 33rd Anganwadi in Veliyam Grama Panchayath, which, according to the petitioner, is going to be opened in the immediate future, the petitioner has come up before this Court.

2. The petitioner alleges that she attended the training course for Creche Workers conducted by the Community Welfare Training Centre, bearing Reg.No.302/78 at Kalaleswaram, Thiruvananthapuram from 27.05.1992 to 02.07.1992 as evident from Ext.P1. She further alleges that she also worked as a member of the Vanitha Samajam of Veliyam Panchayath. She had worked in that capacity from 1991 to 1995 as per Ext.P2. She had worked as temporary employee in Anganwadi No.27 for the periods, extending from 05.03.2003 to 31.05.2003, 03.10.2005 to 30.12.2005 and

23.03.2006 to 20.06.2006 as evident from Ext.P3. According to her, she is now working as the Helper on temporary basis in the 23rd, 25th, 28th Anganawadies of Veliyam Panchayath. An interview had been conducted for electing the Anganwadi Worker from among the Helpers of the Anganwadies coming under the Kottarakkara Block Panchayath. The petitioner secured 4th rank in the ranked list published and the three candidates above the petitioner in the ranked list had already been appointed; it is alleged. The petitioner pointed out that now there are 32 Anganwadies in the Veliyam Grama Panchayath and the 33rd one is going to be inaugurated in the immediate future. The petitioner was legitimately expecting that she would be appointed as the Anganwadi Worker in the 33rd Anganwadi. However, to the shock of the petitioner, she came to know that another one is going to be appointed. According to the petitioner, she is the only qualified worker eligible to be appointed. She passed SSLC in the year 1990. Her date of birth is 30.05.1973. According to her, she had chosen the job of Anganwadi Worker as she had dedicated her life for the betterment of the children. She further pointed

..3..

out that she is well experienced in the field and she now stands first in the ranked list as the candidates above her had already been given appointment. According to the petitioner, there is no rhyme and reason in appointing the persons, who are not duly qualified, and she has to be appointed in the next arising vacancy. Hence, the petitioner is seeking a direction to respondents to appoint the petitioner in the next arising vacancy of Anganwadi Worker.

As the limited prayer in this writ petition is for a direction to the respondents to consider the petitioner for appointment in the next arising vacancy of Anganwadi Worker, the writ petition is disposed of directing the respondents to consider the petitioner also in the next arising vacancy of Anganwadi Worker under the respondent panchayath, if she is otherwise eligible.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

bka/-