

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

Writ Petition No.35553 of 2015

Date:30.10.2015

Between:

B.Rama Tulasi, W/o Vijaya Bhaskar
and another.

..... Petitioners

And:

The State of A.P., repled by its
Principal Secretary, Women, Children,
Disabled and Senior Citizens Department,
Hyderabad and four others.

.....Respondents

Counsel for the Petitioners: Mr. V.Maheswar Reddy

Counsel for the respondents: AGP for Women
Development
& Child Welfare (AP)

The Court made the following:
ORDER:

This Writ Petition is filed by the Anganwadi Helpers of Gokul Nagar-III and Sriramnagar of Proddutur Urban, respectively, feeling aggrieved by the action of respondent No.3 in not considering the proposals of respondent No.5, vide letter No.10/SA/2015, dated 22.8.2015, recommending the petitioners for promotion to the post of Anganwadi Workers of Dinnemeddi Kottala and Jabbar Shed of Proddutur Urban respectively. The petitioners have pleaded and the same is not disputed by learned

Assistant Government Pleader for Women Development and Child Welfare (Andhra Pradesh), representing the respondents, that memo No.9207/ICDS/A1/98-1, dated 23.12.1998, issued by the Women Development and Child Welfare (ICDS) Department of the State of Andhra Pradesh envisages that eligible Anganwadi Helpers shall be considered for selection and appointment as Anganwadi Workers, if their performance is satisfactory. Following the same, the Director of Women Development and Child Welfare, Andhra Pradesh, Hyderabad has issued memo No.5771/K3/2006, dated 05.01.2012, wherein she has directed that if the post of Anganwadi Worker is vacant in the same village where Anganwadi Helper is qualified, she has to be considered to be appointed as Anganwadi Worker, provided she fulfills the conditions laid down in G.O.Rt.No.102, Department of Women, Children, Disabled and Senior Citizens (ICDS A1), dated 28.3.2011.

The petitioners pleaded that they are presently working as Anganwadi Helpers at Gokul Nagar-III and Sriramnagar of Proddutur Urban, respectively, while the vacancies of Anganwadi Workers have arisen at Dinnemeddi Kottala and Jabbar Shed and that both these centres are located in the same town, viz., Proddutur and that therefore, they are entitled for being considered for promotion as Anganwadi Workers, as recommended by respondent No.5.

The grievance of the petitioners is that instead of considering their cases for appointment as Anganwadi Workers of the above-mentioned two centres as recommended by respondent No.5, vide her Lr.No.10/SA/2015, dated 22.8.2015, respondent No.3 has issued a notification wherein the posts of Anganwadi Workers for the above-mentioned centres in Proddutur Urban have been notified.

In the above facts and circumstances of the case, respondent No.3 is directed to consider the cases of the petitioners for being appointed, along with the claims of the other Anganwadi Helpers, as Anganwadi Workers and appoint the best from among the candidates recommended by respondent No.5, vide Letter No.10/SA/2015, dated 22.8.2015. It is only in the event, respondent No.3 does not find any of the candidates recommended by respondent No.5 in the above-mentioned letter suitable, then only he is entitled to consider others for being appointed as Anganwadi Workers of Dinnemeddi Kottala and Jabbar Shed.

Subject to the above directions, the Writ Petition is disposed of.

As a sequel to disposal of the Writ Petition, WPMP.No.45666 of 2015 filed by the petitioners for interim relief is disposed of as infructuous.

JUSTICE
C. V. NAGARJUNA REDDY

30th October, 2015
DR