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IN THE HIGH COURT OF JUDICATURE, AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA
PRADESH

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WRTI PETITION No. 39288 OF 2015

Between:

K. Anuja W/o Kiran Basha, aged 21 years, Occ: Unemployee, R/o 4-
10-273, HP Gas Office Road ,Pulivendula, YSR Kadapa District
....Petitioner

A n d

The State of Andhra Pradesh, represented by its Principal Secretary,
Women Development, Child Welfare and Disable Welfare (ICDS)
Department, Secretariat at Hyderabad and four others
....Respondents

DATE OF ORDER : 16.12.2015

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HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION NO. 39288 OF 2015

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ORDER:

Petitioner challenges the selection of 5th respondent as Anganwadi Worker for Sri Rama Hall-I Centre of Pulivendula Town. Petitioner raised several contentions against the said selection. One of the contentions urged is that the 5th respondent is not a resident of Pulivendula Town and non-local/non-resident of the town was considered for the Anganwadi Worker and therefore on that ground alone the said selection be vitiated.

2. Sri I. Koti Reddy, learned counsel for 5th respondent took notice on behalf of 5th respondent. To ascertain the truth of the allegation made, the record was called for.

3. Heard the learned counsel appearing for petitioner, learned Government Pleader appearing for respondents 1 to 3 and Learned Counsel appearing for 5th respondent.

4. Learned counsel appearing for petitioner contends that the 5th respondent has obtained two different Aadhar Cards and in one Aadhar Card the name of the petitioner shown as 'Rage Nivasa' and her husband's name described as 'B. Suryudu Naik' and residential address given was 4-10-247, Prashanthinagar, Pulivendula. In another Aadhar Card, her name shown as 'B. Lakshmi Nivasa' and her husband's name described as 'B. Suryudu Naik' and her residential address described as 3/33, Motnutralapalli, Erraballe, Cuddapah, Andhra Pradesh. Learned counsel also placed reliance on the copy of the Aadhar Card issued in the name of the husband of the 5th respondent. In the said Aadhar Card, the residential address was shown as similar to the address given by the 5th respondent in the second Aadhar Card. In addition, the learned counsel also placed

reliance on the Voter I.D. Card issued in the name of the 5th respondent and it also described the residential address as Motnutala Palli. Based on these documents, the learned counsel submits that wrong declaration is given showing that she is a resident of Pulivendula to secure employment. He further contended that the 5th respondent earlier claimed employment as Anganwadi Helper by showing her residential address as Motunuthalapalli (a Hamlet of Yerraballi Village) in Anganwadi Center of Yerraballi. In support of the said contention, the order of appointment dated 27.6.2012 is filed as document P-6. It is therefore contended that for the purpose of securing employment, the 5th respondent wrongly shown her residential address and the 5th respondent is not a resident of Pulivendula and she is a resident of Motunuthalapalli. On the said ground alone the action of the 5th respondent is vitiated.

5. Learned counsel appearing for the 5th respondent submitted that after the marriage the name of the 5th respondent was changed as B. Lakshmi Nivasa. Though they originally belong to Motunuthalapalli Village, but to have better living they have shifted their residence to Pulivendula and presently residing in Pulivendula.

6. After verifying the record, the learned Assistant Government Pleader fair in submitting that the 5th respondent was not a resident of Pulivendula Town when the selection was made.

7. The original documents produced by the learned Government Pleader as well as the material relied upon by the petitioner clearly show that the 5th respondent is a resident of Motunuthalapalli Village and by showing her residence as Motunuthalapalli Vilalge she secured employment as Anganwadi Helper in Yerraballi Vilalge.

8. For appointment to the post of 'Anganwadi Helper' or 'Anganwadi Worker' the mandatory requirement is 'a person should be a resident of the area in which the Center is located'. Thus, it is clear that the 5th

respondent, obviously to secure employment, as Anganwadi Worker, shown her residence as Pulivendula. As stated by learned counsel for 5th respondent, after ascertaining from the 5th respondent, that just before making an application to the post of Anganwadi Worker in Pulivendula town, she has resigned to the post of Anganwadi Helper, Yerraballi.

9. All these documents and the averments would clearly disclose that only for the purpose of securing employment in Pulivendula as Anganwadi Worker, the 5th respondent made a wrong declaration stating that she is a resident of Pulivendula and in support of the same, the 5th respondent obtained second Aadhar Card. No explanation is forthcoming as to why second Aadhar Card was taken with a different name. If it is the case of the 5th respondent that she shifted her residence to Pulivendula, she ought to have taken steps to make necessary corrections in the Aadhar Card. Instead of taking steps she could not have obtained second Aadhar Card with different name. Further, the residential address of the Husband of the 5th respondent was also not changed. Such kind of false representations cannot be appreciated. The appointment of 5th respondent as Anganwadi Worker is liable to be set-aside on this ground alone. In view of the same, the other contentions raised are not considered.

10. Accordingly, the Writ Petition is allowed and the proceeding No. 79/A/2015 dated 13.11.2015 of the 4th respondent appointing the 5th respondent as Anganwadi Worker for Sri Rama Hall-1 Center of Pulivendula Town, YSR Kadapa District, is set aside. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, pending if any, shall stand closed.

P. NAVEEN RAO, J

Date: 16.12.2015

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