

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.21081 of 2015

Date:10.07.2015

Between:

M.Varalakshmi,
W/o Suresh

..... Petitioner

And:

The State of A.P.,
reptd., by its Secretary,
WDCW&DW (ICDS) Department,
Hyderabad and two others.

.....Respondents

Counsel for the Petitioner: Ms I.K.Annapurna

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

The Court made the following:

ORDER:

This Writ Petition is filed for a *Mandamus* to declare the action of respondent No.2 in not considering the petitioner's claim for appointment to the post of Anganwadi Worker of Center No.1, Amadaguntla Village, ICDS Project, Kodumur, Kurnool District as illegal and arbitrary.

The petitioner averred that she was appointed as Anganwadi Helper for the above-mentioned Center, vide proceedings No.60/A/2013, dated 25.05.2013, of respondent No.3 and that the Anganwadi Worker of

Amadaguntla Village has expired on 26.11.2014. The petitioner claimed to have made a representation to respondent No.3 in the month of May, 2015 for her appointment as Anganwadi Worker in the vacancy caused on account of the death of the regular Anganwadi Worker of Amadaguntla Village; that respondent No.2, vide her communication, dated 04.6.2015, informed the petitioner that she was found eligible for promotion to the post of Anganwadi Worker; that the promotions were effected after information is passed on to all Child Development Project Officers in the District; and that her application is returned with the information that she may again make a fresh application through the Child Development Project Officer as and when the promotions are being effected.

Ms I.KAnnapurna, the learned counsel for the petitioner, has placed reliance on memo No.5771/K3/2006, dated 03.12.2010, issued by the Director of Women Development and Child Welfare, Andhra Pradesh, wherein she has *inter alia* directed all the Project Directors to fill up the vacancies of Anganwadi Workers with eligible Anganwadi Helpers and follow the Government instructions issued in Circular Memo No.9207/ICDS/A1/98-1, dated 23.12.1998.

At the hearing, the learned Assistant Government Pleader for Women Development and Child Welfare (AP) submitted that the vacancy of Anganwadi Worker of Amadaguntla Village is not filled up so far.

In the face of the above-mentioned memo, dated 03.12.2010, under which, directions were issued to fill up the vacancies of Anganwadi Workers with eligible Anganwadi Helpers and the undisputed fact, as evident from the information furnished by respondent No.2 herself on 04.6.2015, to the effect that the petitioner is found eligible for promotion as Anganwadi Worker, I do not find any reason whatsoever for respondent No.2 in not

promoting the petitioner and instead returning her application for making a fresh application.

In this view of the matter, respondent No.2 is directed to positively consider the case of the petitioner for promotion as Anganwadi Worker of Amadaguntla Village and communicate the decision to her within one month from the date of receipt of a copy of this order. Till this exercise is completed, the respondents are restrained from filling up the vacancy of Anganwadi Worker of Amadaguntla Village by considering any other Anganwadi Helper.

Subject to the above directions, the Writ Petition is allowed.

As a sequel to disposal of the Writ Petition, WPMP.No.27140 of 2015 filed by the petitioner for interim relief is disposed of as infructuous.

*JUSTICE C.V.NAGARJUNA
REDDY*

*10th July, 2015
DR*