

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

Writ Petition No.3200 of 2009

Dated 22nd July, 2015

Between:

Chintaguntla Sarala Devi

...Petitioner

And

The District Collector/Chairman, the District Level Selection Committee, Woman & Child Welfare Development Project, Prakasam District at Ongole and others

...Respondents

Counsel for the petitioner: Sri Nimmagadda Satyanarayana

Counsel for respondent Nos.1 to 3: AGP for Woman Development & Child Welfare

Counsel for respondent No.4: Sri M.Ramalingeswara Reddy

The Court made the following:

ORDER:

This writ petition is filed for a *certiorari* to quash Memo bearing No.417/A1/08, dated 13.02.2009, of respondent No.2.

The petitioner and respondent No.4 along with others have applied for the post of Anganwadi worker of Jammanapalli Village, Prakasam District. By order, dated 23.01.2009, the petitioner was appointed as Anganwadi worker. The petitioner has joined duty on 11.02.2009. However, by Urgent Memo, dated 13.02.2009, issued by respondent No.2, the appointment order of the petitioner was cancelled and subsequently respondent No.4 was appointed in place of the petitioner as Anganwadi worker. Assailing this action, the petitioner has filed writ petition.

In the counter affidavit filed by respondent No.2 on behalf of

respondent Nos.1 to 3, it is *inter alia* stated that in the interview of the candidates held on 15.11.2008, respondent No.4 has secured 25 marks which are the highest marks among all the three candidates who have appeared for the interview, while the petitioner has secured only 09 marks and that by oversight instead of issuing appointment order in favour of respondent No.4, the petitioner was given appointment order and that after she has joined the duty, the said mistake came to light and immediately within two days thereafter, the impugned Memo was issued.

Along with the counter affidavit, marks sheet in respect of the candidates who were interviewed for as many as six villages has been filed. A perusal of this statement shows that respondent No.4 secured highest marks of 25, and the petitioner and another candidate, by name, L.Seshamma, have secured only 09 marks each. The learned counsel for the petitioner submitted that respondent No.1 being the authority competent to approve the appointment has not approved the appointment of respondent No.4.

Sri M.Ramalingeswara Reddy, learned counsel for respondent No.4, placed before the Court proceedings bearing No.417/A1/2008, dated 13.02.2009, of respondent No.2, a perusal of which shows that in Ref.6, note order of respondent No.1 is referred.

From the above discussed material, this Court is satisfied that issuance of appointment order to the petitioner was an obvious mistake and that after rectification of the same, respondent No.4 was duly appointed as Anganwadi worker.

In the light of the above facts, I do not find any merit in the writ petition and the same is accordingly dismissed.

As a sequel to dismissal of the writ petition, W.P.M.P.No.4150 of 2009 shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

22nd July, 2015
VGB