

**THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO
AND**

THE HON'BLE MRS. JUSTICE ANIS

WRIT APPEAL No. 869 OF 2015

J U D G M E N T: *(per Hon'ble Sri Justice Nooty Ramamohana Rao)*

This Appeal is preferred by the appellant-petitioner whose Writ Petition challenging the appointment of the 6th respondent as Anganwadi worker of Madannapeta S.C. Colony, Narasampet Mandal, Warangal District has been dismissed by the learned Single Judge.

Sri S. Rahul Reddy, learned counsel for the appellant would urge that the unofficial respondent has been selected for extraneous reasons and considerations, as is clearly reflected in the statement of marks secured by the respective candidates. That apart, the unofficial respondent is married to a person of a different village and hence, she ceased to be a resident of the village concerned and contrary to the essential requirement that the Anganwadi worker should be a resident of the village, the unofficial respondent has still been selected.

We are not impressed by either of these two contentions. Dealing with the latter one first, the fact that the unofficial respondent has been married to another person of another village, does not *ipso facto* lead us to the conclusion that she is not a resident of the village. This apart, the statement itself pre-supposes that she was a resident of the village prior to her wedding and only because of her wedding with another person, she is sought to be treated as not residing in the village. Though it is generally expected that woman on getting married would move to join the husband wherever he is residing, but however, that cannot be taken into account or consideration for declaring one as not residing in a particular village. For variety of good and valid reasons, married woman can still keep residing in the same village and also simultaneously discharge all other social obligations and burdens. It all depends upon one's own ability and efficiency in that regard.

The other contention that the marks secured by the candidate concerned would bring it out that there was inflation of marks by the members of the committee so as to fill-up the difference in marks secured by the candidate with regard to the age factor, is ill-founded. It is true that the Revenue Divisional Officer has awarded only '½' mark to the unofficial respondent, whereas the Project Director, the District Medical and Health Officer and the Child Development Project Officer as well as the Member of Legislative Assembly have all awarded '2' marks to the unofficial respondent. Whereas, in the case of the petitioner, the Revenue Divisional Officer awarded '2' marks while the Member of Legislative Assembly, the Project Director and the Child Development Project Officer awarded '½' mark each and the District Medical and Health Officer awarded '1' mark. Therefore, it is visible to us that upon a proper and careful consideration of the performance at the interview, the selections have been carried out. This apart, why majority of the members of the interview committee have awarded '2' marks to the unofficial respondent can be easily found from the fact that the unofficial respondent has secured 381 out of 600 marks at her SSC examination. Thus, the unofficial respondent has a very bright academic record of securing more than 63% at her SSC examination, notwithstanding the fact that she is a member belonging to the Scheduled Castes.

Therefore, we do not find any merit in the contentions canvassed before us. Hence, the Writ Appeal stands dismissed. No costs.

Consequently, the miscellaneous applications, if any shall also stand dismissed.

NOOTY RAMAMOHANA RAO, J

ANIS, J

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