

**MONDAY, THE SEVENTH DAY OF DECEMBER TWO THOUSAND
AND FIFTEEN**

HON'BLE SRI JUSTICE P.NAVEEN RAO

Between:

.. Petitioner

AND

.. Respondents

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HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.39547 of 2015

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ORDER:

The petitioner is working as Anganwadi Helper at R.S. Rangapuram Village Center No.4 and seeks appointment/promotion as Anganwadi Worker. In this writ petition, the petitioner challenges the notification issued for making recruitment to the post of Anganwadi Worker in Banaganapalle Project in Kurnool District, from open market.

2. When the matter is taken up for consideration, learned counsel for the petitioner as well as the learned Assistant Government Pleader for Women and Child Welfare state that the subject matter of the writ petition is covered by the decision of this Court in W.P.No.31374 of 2015 and batch, dated 16.11.2015. In the said judgment, this Court held that if the eligible candidates are available for consideration for appointment/promotion of Anganwadi Workers, they should be considered first and only if they are found to be not eligible, open recruitment can be made. It is further held that as long as eligible Anganwadi Helpers are available in a village, there is no justification in resorting to the open market recruitment to fill up the vacancies of Anganwadi Workers in the respective villages. Therefore, whoever is eligible within the village and working in lower cadre shall be entitled to be considered.

3. Having regard to the same, the Writ Petition is

allowed by setting aside the selection process initiated to the post of Anganwadi Worker in Banaganapalle Project, Kurnool District. The respondents are directed to consider the claim of the petitioner for elevation of her status as Anganwadi Worker as expeditiously as possible. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO, J

Date: 7th December, 2015

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