

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.7153 of 2011

Date : 24-8-2016

Between :

Chavala Kumari W/o Chittam Vebnkata Rangaiah
R/o Racherla Faram village,
Racherla mandal,Prakasam district

Petitioner

And

The Commissioner,
Women Development & Child Welfare Department
Government of A P, Hyderabad and others

Respondents

The Court made the following:

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.7153 of 2011

ORAL ORDER:

Petitioner challenges appointment of 6th respondent as Anganwadi Worker in Racherla Faram village, Racherla mandal, Prakasam district.

2. Heard learned counsel for petitioner, learned Government Pleader for Women Development and Child Welfare for respondents 1,3 and 4 and learned Government Pleader for Revenue for respondents 2 and 5.

3. The only contention urged by learned counsel for petitioner is that appointment of 6th respondent is contrary to orders of the Government issued in G.O.Ms.No. 21 dated 24.8.2007, wherein one of the eligibility criteria prescribed is "Candidate should be a local married woman". Learned counsel would submit that 6th respondent is native of Ambavaram village and she is not local candidate of Racherla Faram village. He would therefore submit that selection was illegally made ignoring the claim of the petitioner.

4. As averred in the counter affidavit, it appears that complaints were filed by the villagers alleging that 6th respondent was not native of Racherla Faram village and based on the said complaints, show cause notice was issued to 6th respondent on 6.9.2010. In the explanation filed by 6th respondent, she has categorically stated that her husband was native of Racherla Faram village and after marriage she has been living in the said village for the last more than 3 ½ years. She has also enclosed photocopies of her certificates i.e., Secondary School Certificate, Residence certificate, Caste certificate, Income certificate, and Voters List, 2010.

5. The categorical stand of the respondents that 6th respondent has become resident of Racherla Faram village, is not denied. There is no other material brought on record to show that 6th respondent was resident of Ambavaram village when the selections were taken up and only after selections were finalized, she became resident of Racherla Faram village. The factum of marriage to a person belonging to Racherla Faram village is not denied.

6. Unless it is established with cogent evidence that 6th respondent is not residing in Ambavaram village, the selection and appointment of the 6th respondent cannot be set aside. There are no merits in the writ petition and

accordingly the same is dismissed. No costs. Having regard to the same, miscellaneous petitions, if any pending, are closed.

P NAVEEN RAO,J

DATE: 24.08.2016
TVK

HONOURABLE SRI JUSTICE P. NAVEEN RAO

Date : 24-8-2016