

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.9558 OF 2009

ORDER:

An Endorsement in Rc.No.4/1386/08, dated 02.04.2009 terminating the services of the petitioner as Anganwadi Worker of Pokalavaripalli village is challenged before this Court.

It is the case of the petitioner that petitioner came to be selected as Anganwadi Worker of Pokalavaripalli village, Seetaramapuram Mandal, PSR Nellore District, and appointment order was also issued on 26.08.2008. However, by the impugned Endorsement her services came to be terminated. As per the impugned order the ground on which her appointment came to be terminated / withdrawn is that she does not belong to the village of Pokalavaripalli village and the Tahasildar, Seetaramapuram Mandal had submitted a report to that effect.

Heard the learned counsel for the petitioner and the respondent.

A perusal of the endorsement dated 02.04.2009 reveals no notice having been issued to the petitioner on what basis the respondent came to conclusion that the petitioner does not belong to Pokalavaripalli village. Though in the impugned order a reference is made to the report of Tahasildhar Seetaramapuram Mandal, the said report was not made available to the petitioner. On the contrary, the petitioner came to be appointed to the post based on the nativity certificate dated 11.08.2008 issued by the Tahasildar, Seetaramapuram Mandal, in what circumstances the Tahasildar within a period of five to six months gave a contra

report is not discernible from the impugned order. Inasmuch as, the impugned endorsement is in violation of principles of natural justice the same deserves to be set aside.

Accordingly, the impugned order is set aside with a direction to the respondent to reinstate the petitioner into service. It is made clear that the petitioner has not worked all these years as such she would not be entitled for any wages. However, it is open for the respondent authorities to furnish copies of the report of Tahasildar and the complaints, which are said to have received against the petitioner, to the petitioner and thereafter conduct an enquiry after giving opportunity to the petitioner and to pass appropriate orders.

With the above direction, the writ petition is disposed of. There shall be no order as to costs. As a sequel, miscellaneous petitions pending, if any, shall also stand closed.

CHALLA KODANDA RAM, J

Dated: 04.01.2016

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