

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 34530 of 2013

ORDER:

1. The Petitioner states that she applied for the post of Anganwadi worker at Yerraguntapalli village center, Tanakal Mandal, Kadiri, Anantapur District, pursuant to the advertisement issued by respondents 2 and 3 on 12.01.2011 and 09.12.2011. A call letter was issued to the petitioner asking her to attend for the interview on 19.02.2013 and she attended the same. When the respondents 2 and 3 appointed the 4th respondent, who is a non-local candidate, the present writ petition is filed challenging the proceedings of respondents 2 and 3 dated 27.04.2013.

2. This Court by order dated 02.12.2013 granted interim suspension of the order passed by respondents 2 and 3 appointing the 4th respondent. Seeking vacation of the said order, respondents 2 and 3 as well as respondent No.4 filed W.V.M.P.Nos.725 and 505 of 2014 respectively.

3. It is submitted by the learned Government Pleader for respondents 1 to 3 that an enquiry was conducted on the nativity of the 4th respondent by the Revenue Divisional Officer and the enquiry revealed that the 4th respondent is a local candidate and she is eligible for being appointed as Anganwadi worker. The same is disputed by the learned Counsel for the petitioner by filing additional documents and he submitted that the enquiry was based

on invalid documents. He further submits that the documents filed by the petitioner reveal that the 4th respondent is not a local candidate.

4. Since the issue relates to the local status of the 4th respondent, who was appointed as Anganwadi worker by respondents 2 and 3 and since the enquiry conducted by the Revenue Divisional Officer is disputed by the learned Counsel for the petitioner by filing documents, as it involves verification of the facts, the matter is remanded to the 2nd respondent for conducting an enquiry in respect of the local status of the 4th respondent. The 2nd respondent shall issue notice to the petitioner as well as the 4th respondent for submitting relevant documents and basing on the said documents, the 2nd respondent shall pass a reasoned order, which shall be binding on the petitioner as well as the 4th respondent. The appointment of the 4th respondent will be subject to further orders to be passed by the 2nd respondent.

5. The Writ Petition is accordingly disposed of. No order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

A.RAMALINGESWARA RAO, J

15-09-2016
Gsn