

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
AND
HON'BLE SRI JUSTICE G.SHYAM PRASAD

WRIT APPEAL Nos.620 & 621 of 2016

Date:28.7.2016

WRIT APPEAL No.620 of 2016

Between:

A.Bharathamma,
W/o Venkateshwarlu

.....Appellant

And:

Vijayamma,
W/o Srinivasulu and three others.

....Respondent

AND

WRIT APPEAL No.621 of 2016

Between:

M.Vanaja,
W/o Thirumalaiah

.....Appellant

And:

Chandrakala, W/o Gopal
and three others.

....Respondent

Counsel for the appellant: Mr. P.Vishnuvardhan Reddy
For Mr. Malugari Sudarshan

Counsel for respondent No.1: Ms. P.Susmitha
For Mr. A.Kranthi Kumar
Reddy

Counsel for respondent Nos.2 to 4: GP for Women
Development

The Court made the following:

COMMON JUDGMENT: *(per Hon'ble Sri Justice C.V.Nagarjuna Reddy)*

Both these Writ Appeals arise out of common
order, dated 04.01.2016, in Writ Petition Nos.8638 and

8643 of 2009.

Respondent No.1 in both these Writ Appeals filed the afore-mentioned Writ Petitions feeling aggrieved by the appointment of the appellants as Anganwadi workers of the respective Villages in Amarabad Mandal, Mahabubnagar District.

Respondent No.1 in both these cases have mounted challenge to the appointment of the appellants on the ground that though they were found more meritorious, on the application of various parameters prescribed for selection and appointment of Anganwadi workers, the appellants were appointed overlooking their superior merit, on extraneous considerations and on the interference of a member of the Selection Committee, who happened to be an M.L.A.

The appellants as well as the official respondents have contested the said Writ Petitions.

Upon a detailed consideration of the respective pleadings of the parties and the record, the learned single Judge has rendered a finding that as per the selection criteria, the writ petitioners have secured 7.95 and 5.15 marks as against 4.73 and 4.93 marks obtained by the appellants herein respectively. After discussing the various parameters for which the marks were prescribed, the learned single Judge has referred to the stand taken in the counter-affidavits that finalization of the selection list was based on the recommendation of the then M.L.A., who was a member of the Selection Committee, and that the marks alone could not be taken as criteria for selection of Anganwadi workers and conclusively rejected the same, and, in our view rightly so.

When the State has prescribed criteria for award of marks taking into consideration various parameters such as educational qualifications, experience, status of the person as widow without children/with children,

experience as WHV/Asha/CHW and disability, the merit of a candidate is required to be assessed only with reference to those parameters. No discretion was conceded to the Selection Committee for award of extra marks on any other count.

Learned Government Pleader for Child Welfare and Women Development (Telangana State) has candidly admitted that the selection of the appellants was induced by the recommendation of the then M.L.A. He has further submitted that in pursuance of the order of the learned single Judge, respondent No.1 in both these Writ Appeals are given appointment as Anganwadi workers and the appellants are no longer working in the said position.

In the afore-mentioned facts of the case, we do not find any reason to interfere with the order of the learned single Judge and the Writ Appeals are, accordingly, dismissed.

As a sequel to dismissal of the Writ Appeals, WAMP.Nos.1622 and 1623 of 2016 filed by the appellants for interim relief are dismissed as infructuous.

*JUSTICE C.V.NAGARJUNA
REDDY*

JUSTICE G.SHYAM PRASAD

*28th July 2016
DR*