

THE HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.3475 of 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:

“to issue writ of Mandamus to declare the inaction of the Respondent No.2 in not considering the Representation dated 04-01-2016 of The Petitioner for re considering the application for the post of Anganwadi Helper, Alur ICDS Project of Kurnool District as illegal, arbitrary and unconstitutional and consequently direct the Respondent No.2 to consider the Representation dated 04-01-2016 of the Petitioner for reconsidering the application for the post of Anganwadi Helper for Alur ICDS Project of Kurnool District in accordance with law.”

Heard, Sri J. Suresh Rao, learned counsel for the petitioner and learned Government Pleader for Women and Child Welfare for respondents.

According to the petitioner, she is resident of Alur Mandal, Kurnool District and she applied for the post of Anganwadi Helper for Alur ICDS Project of Kurnool on 14-10-2015. It is further sated that only two candidates i.e., petitioner and the 3rd respondent herein applied for the said post and the petitioner herein received interview letter on 06-11-2015 and in response to the same she attended for interview and submitted all her credentials on 22-11-2015. It is further stated that as per the selection criteria she passed Intermediate, whereas the 3rd respondent has S.S.C. qualification only. It is the further

case of the petitioner herein that she is most eligible and the respondent authorities ought to have considered her candidature instead of the 3rd respondent. It is further stated that the petitioner herein gave a representation on 04-1-2016 to re-consider her case but no action has been taken on the said representation.

On the contrary, it is stated by learned Government Pleader that the authorities appointed the 3rd respondent as Anganwadi Helper and she is functioning.

The grievance of the petitioner, as evident from the material on record, is that she is more qualified and more eligible than the un-official respondent herein and despite which the unofficial respondent has been appointed by the respondents.

In the facts and circumstances of the case and having regard to the nature of controversy, this Court is of the considered opinion that the ends of justice would be met if the petitioner herein is permitted to submit necessary representation before the 2nd respondent for redressal of her grievance.

For the aforesaid reasons, the writ petition stands disposed of, without expressing any opinion on the merits of the matter and entitlement of the petitioner, keeping it open for the petitioner herein to make necessary application to the 2nd respondent for redressal of her grievance within a period of two (2) weeks from the date of receipt of a copy of this order and if any such representation is made within the time stipulated the same be considered and appropriate orders be passed by the 2nd

respondent, in accordance with law, within a period of six (6) weeks thereafter after giving notice to all the stakeholders.

Miscellaneous Petitions pending, if any, shall stand closed.
There shall be no order as to costs.

A.V. SESA SAI, J

March 14, 2016

Note: Furnish C.C. in
two (2) days. B/o.Pn

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