

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 23.11.2017

CORAM

THE HONOURABLE Mr.JUSTICE T.RAJA

W.P.No.30175 of 2017
and W.M.P.No.32792 & 32793 of 2017

U.Parameswari

... Petitioner

Vs

1.The District Collector,
Namakkal,
Namakkal District.

2.The Child Development Project Officer,
Integrated Child Development Scheme,
Namakkal,
Namakkal District.

3.Block Development Officer,
Erumpatti Panchayat Union,
Namakkal District.

4.Lakshmi

... Respondents

Writ Petition filed under Article 226 of The Constitution of India seeking for issuance of Writ of Certiorarified Mandamus to call for the records relating to the proceedings in Na.Ka.no.1018/A1/2017 dated 14.09.2017 passed by the 1st respondent and quash the order appointing the 4th respondent and direct the 1st respondent to appoint the petitioner as Anganwadi Worker in MGR Nagar Noon Meal Centre in Erumpatti Panchayat Union.

For Petitioner : Mr.D.Sreenivasan

For Respondents : Mr.P.Sanjay Gandhi, AGP for R1,R2
Mr.A.Kumar for R3

O R D E R

The present Writ Petition has been filed seeking issuance of Writ of Certiorarified Mandamus to quash the proceedings in Na.Ka.No.1018/A1/2017 dated 14.09.2017 passed by the first respondent appointing the fourth respondent and direct the first respondent to appoint the petitioner as Anganwadi Worker in MGR Nagar Noon Meal Centre, Erumpatti Panchayat Union.

<https://hcservices.ecourts.gov.in/hcservices/>

2.Heard Mr.D.Sreenivasan, learned Counsel appearing for the petitioner; Mr.Sanjay Gandhi, learned Additional Government

Pleader appearing for the respondents 1 and 2 and Mr.A.Kumar, learned counsel appearing for the third respondent.

3.This petitioner is a widow who hails from a downtrodden family belong to Scheduled Caste Adi Dravidar community. She passed +2 and also registered her name in employment exchange and periodically renewing the same. While so, a Notification dated 21.07.2017, was issued inviting application for the post of Noon Meal Organizer. The petitioner applied for the same and subsequently, appeared for the interview held on 30.08.2017. In spite of producing various certificates by the petitioner, namely, her educational Certificates, Transfer Certificate, Community Certificate, Resident Certificate and Destitute Widow Certificate issued by the Revenue Authorities, the first respondent has selected the fourth respondent who is not an eligible candidate by passing an order dated 14.09.2017. Aggrieved over the said order, the petitioner has sent a representation on 13.10.2017 to the first respondent. Since the said representation was not disposed of by the first respondent, the petitioner is before this Court.

4.Learned counsel appearing for the petitioner would submit that since the petitioner is a destitute widow, the first respondent should have given first priority to the petitioner. On the other hand, the fourth respondent was selected as a candidate who is living with her husband and also owning properties worth about Rs.70,00,000/-. Hence, the impugned order dated 14.09.2017 passed by the first respondent, appointing the fourth respondent is liable to be set aside.

5.Learned Additional Government Pleader appearing for the respondents 1 and 2 also fairly conceded that the representation sent by the petitioner will be considered.

6.In view of the above facts and circumstances of the case, without going into the merits of the claim made by the petitioner, this Court directs the first respondent to consider the petitioner's representation dated 13.10.2017 within a period of eight weeks from the date of receipt of a copy of this order, keeping in mind that the petitioner is a destitute widow.

With the above direction, the Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar (CS IV)

//True copy//

Sub Assistant Registrar

To

1.The District Collector,
Namakkal,
Namakkal District.

2.The Child Development Project Officer,
Integrated Child Development Scheme,
Namakkal,
Namakkal District.

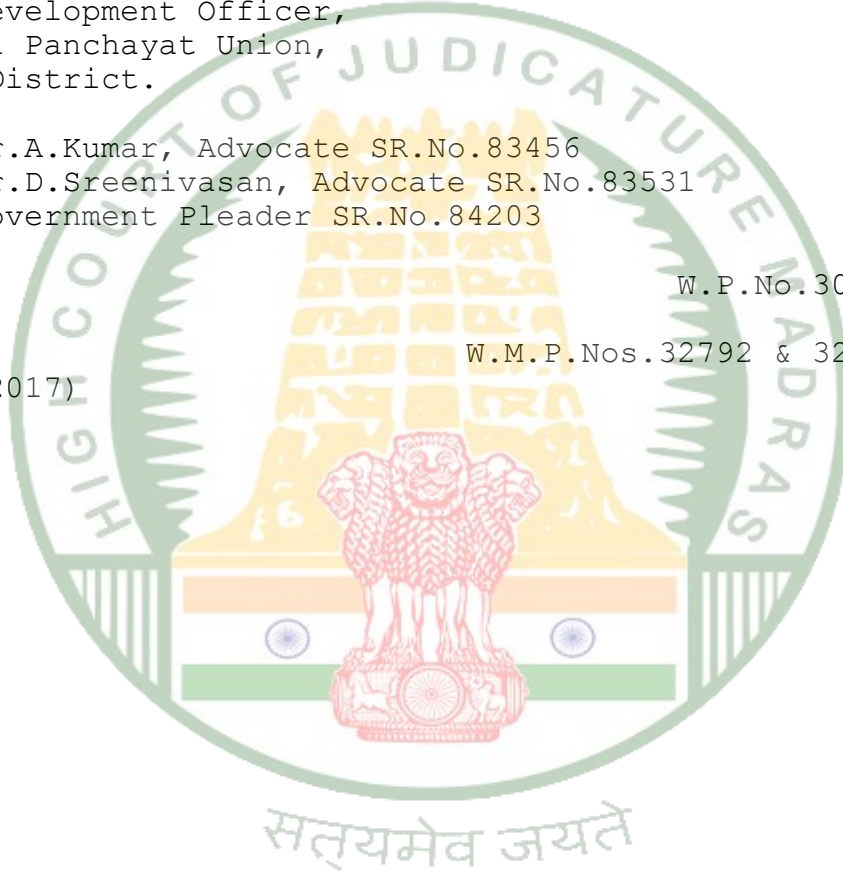
3.Block Development Officer,
Erumapatti Panchayat Union,
Namakkal District.

+lcc to Mr.A.Kumar, Advocate SR.No.83456
+lcc to Mr.D.Sreenivasan, Advocate SR.No.83531
+lcc to Government Pleader SR.No.84203

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GN(11/12/2017)



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