



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.09.2017

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THE HONOURABLE MR.JUSTICE T.RAJA

W.P (MD) Nos.17574 and 17575 of 2017

and

W.M.P (MD) Nos.14106, 14107, 14108, 14109 of 2017

Sridevi ... petitioner in W.P.(MD)No.17574 of 2017
Rathika ... petitioner in W.P.(MD)No.17575 of 2017

Vs.

1. The District Collector,
Sivagangai District,
Sivagangai.
2. The District Programme Officer,
Integrated Child Development Scheme,
(ICDS) Project, Collectorate complex,
Sivagangai.
3. The Child Development Project Officer,
Office of the Child
Development Project Office,
Tirupathur Taluk,
Sivagangai District. ... Respondents in both W.P.s

Common Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned news paper publication dated 12.08.2017 published in Dinamalar issued by the first respondent for filing up of Anganwadi worker and Anganwadi Assistant under the Child Development Programme, quash the same as unconstitutional and consequently direct the respondents herein to conduct free and fair selection process in filling up of Anganwadi worker and Anganwadi Assistant under the Child Development Programme by following the rule of reservation.

For petitioners : Mr.R.M.Arun Swaminathan
(in both W.P.s)

For Respondents : Mr.D.Muruganantham,
Special Government Pleader.
(in both W.P.s)

**COMMON ORDER**

These Writ Petitions have been filed for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the impugned news paper publication dated 12.08.2017 published in Dinamalar issued by the first respondent for filling up of Anganwadi worker and Anganwadi Assistant under the Child Development Programme, quash the same as unconstitutional and consequently direct the respondents herein to conduct free and fair selection process in filling up of Anganwadi worker and Anganwadi Assistant under the Child Development Programme by following the rule of reservation.

2. The learned counsel for the petitioners submitted that the petitioners in W.P(MD)Nos.17574 of 2017 and W.P.(MD) No.17575 of 2017 belong to Scheduled Caste Community and backward community respectively and they completed Higher Secondary Examination. A news published in Dinamalar dated 12.08.2017 for filling up of 800 vacancies in three categories. The petitioners have submitted her application on 20.08.2017 for the post of Kuru Anganwadi worker. A call letter was issued on 02.09.2017 to attend the interview to be held on 06.09.2017 in the office of the third respondent. Accordingly, the petitioners have participated in the said interview. Thereafter, the petitioners have not received any information about their selection. The process and procedure conducted are hide and seek manner without giving any opportunity to all the candidates, who applied for the post. Hence, the entire selection process is illegal. The respondents may be directed to conduct free and fair selection process in filling up of Anganwadi worker and Anganwadi Assistant by following the rules of reservation.

3. The learned Additional Government Pleader appearing for the respondents submitted that the petitioners have come to this Court belatedly because of the selection list has already been published on 15.09.2017.

4. It is seen that this Court has granted interim injunction in the batch cases in respect of Pudhukottai and Theni Districts on the ground that the petitioners had approached this Court well in time before the publication of the results. But, in the present case, the petitioners have taken part in the selection process and the results have been declared on 15.09.2017. In these circumstances, as per the settled legal position, the petitioners cannot come to this Court by way of these writ petitions, after the publication of the results. Since the selection process was already over by publishing the selection list on 15.09.2017, this Court is not inclined to entertain this Writ Petition.



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5. In the result, this Writ Petitions are dismissed. No costs. Consequently, the connected Miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Sivagangai District,
Sivagangai.
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(ICDS) Project, Collectorate complex,
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3. The Child Development Project Officer,
Office of the Child
Development Project Office,
Tirupathur Taluk,
Sivagangai District.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 80372

SM

TE/KK/SAR-II : 20/10/2017 : 3P/5C

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19.09.2017