

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.No.2612 of 2009

ORDER

Challenging the action of respondents 1 to 3 in selecting the 4th respondent for the post of Anganwadi Worker in respect of Thugundram Village, G.D. Nellore Mandal, Chittoor District, the present writ petition is filed.

The petitioner states that she is a physically handicapped person with 60% disability. She has completed Graduation from Dr.B.R.Ambedkar Open University in the year 2002. When applications were called for the post of Anganwadi Worker, she applied for the same. On 13.8.2007, interviews were conducted, but no results were announced. Thereafter, the 3rd respondent issued paper publication on 27/28.11.2007 inviting applications for the posts of Anganwadi workers and Aayas. Pursuant to the same, the petitioner applied. It is further stated that the 3rd respondent issued another notification inviting applications from the eligible candidates for the posts of Main Anganwadi Workers, Mini Anganwadi Workers and Assistants. Since the petitioner possesses the requisite qualifications to the said post, she applied on 21.8.2008 and the 4th respondent also applied for the same post. She states that she is a

native of Thugundram Village and even after marriage, she is residing there along with her husband. When the 4th respondent was selected in spite of producing fake certificates, the present writ petition is filed.

A counter-affidavit is filed admitting the receipt of applications from the petitioner and 4th respondent on 21.8.2008 and 19.8.2008 respectively. The 3rd respondent verified the nativity certificate and it was proved that the native village of the petitioner is Thugundram, and after marriage, she is living in Chittoor Town along with her husband. The 4th respondent who is also married, is living with her husband at Thugundram Village. Hence, the Selection Committee consisting of the concerned CPDO, Project Director, selected the 4th respondent for the post of Anganwadi worker. The 4th respondent was issued appointment order on 5.12.2008 and she reported to duty on 10.12.2008.

The issue projected is with regard to the nativity of the petitioner. The petitioner filed the Nativity Certificate issued by the Village Assistant, Votor ID Card and Ration Card, which show that the petitioner is residing at Thugundram Village. But, on verification of the same, the 3rd respondent found that the petitioner is residing along with her husband in Chittoor. However, when this Court verified the documents filed along with the counter-affidavit, it is seen that the petitioner secured 24 marks, whereas the 4th respondent

secured 28 marks. In view of the highest marks secured by the 4th respondent, it cannot be said that appointment of the 4th respondent is illegal.

Accordingly, the Writ Petition is dismissed. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

5th July, 2017
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