

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.4241 OF 2009

ORDER:

This writ petition was filed challenging the Notification published in 'eenadu' newspaper, dated 06.02.2009 calling for applications for appointment to the post of Anganwadi worker of Peddapalem village without terminating the services of the petitioner.

In the counter affidavit filed on behalf of the respondents, it is stated that the petitioner was appointed as Anganwadi worker and undergone training from 07.07.2003 to 27.08.2003. She completed refresher course training from 17.12.2004 to 22.12.2004. After completion of the training, she was posted as Anganwadi worker, Peddapalem village and she worked upto 04.05.2007. Thereafter, she absented from duty unauthorisedly without any intimation. Though Memos, dated 10.07.2007, 11.08.2007 and 11.09.2007 were issued asking her to submit explanation, no reply was received from the petitioner. On the instructions of the third respondent, personal enquiry was conducted and it came to light that the petitioner married one G.Sridhar of Orissa State on 09.05.2007 and went to her in-law's house at Orissa. Thereafter, the adjacent Anganwadi worker Kum.Yashoda was handed over the additional charge vide letter, dated 08.07.2008. The enquiry report was sent to the third respondent on 26.08.2008 seeking permission for termination of the service of the petitioner. The service of the petitioner was terminated on 30.08.2008 and it was intimated to the petitioner on 31.08.2008. Thereafter, a notification was issued for filling up of vacancy on 06.02.2009 and subsequently, interviews were conducted on 02.03.2009, but in view of the election code and pendency of the present writ petition, appointments were not finalized.

Though the counter affidavit is filed in the year 2009, the petitioner did not file any reply disputing the above averments. It is evident from the

above averments that the petitioner got married to one G.Sridhar of Orissa State and she went to her in-law's house. The petitioner did not state anything regarding the Memos issued earlier asking her explanation and she did not state anything in the affidavit with regard to the period during which she continued as Anganwadi worker. She merely stated that she underwent refresher course training and without issuing order of termination, a notification was issued.

In view of the fact that sufficient opportunity was given to the petitioner and the petitioner did not submit explanation and the whereabouts of the petitioner was not known, on the basis of the enquiry, it was decided to terminate the services of the petitioner. The petitioner was communicated the same on 31.08.2008. Thereafter only the notification was issued.

In the circumstances, this Court sees no grounds to interfere with the Notification and the respondents are at liberty to take further steps pursuant to the interviews conducted earlier.

The writ petition is accordingly dismissed. Consequently, miscellaneous petitions pending, if any, shall stand closed.

A.RAMALINGESWARA RAO, J

28.06.2017
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