

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.3591 OF 2009

ORDER:

This writ petition is filed challenging the proceedings No.417/A1/08, dated 23.01.2009, issued by the respondents 1 and 2, appointing the 4th respondent as 'Anganwadi Worker' of Gollavidipi Village, Yerragondapalem Mandal, Prakasam District.

Learned counsel for the petitioner submits that though as per G.O.Ms.No.21, dated 24.08.2007, the qualification prescribed for the post of Anganwadi Worker is X class and if no X class passed candidates is available, a candidate with the next highest qualification may be selected. But, in the present case, though the petitioner is having X class the respondents issued the impugned proceedings appointing the 4th respondent who does not possess X class and in fact, she failed S.S.C. As such, the order appointing the 4th respondent is illegal.

Though respondents 1 to 3 filed counter, the same is not disputed specifically. The appointment is justified on the ground that the 4th respondent secured more marks.

Heard learned counsel for the petitioner, Learned Government Pleader for Women and Child Welfare and learned counsel for the 4th respondent.

Though a specific assertion is made by the petitioner in the writ affidavit that the 4th respondent does not possess X class, the same is not disputed by the respondents 1 to 3 in the counter and the fact that the 4th respondent has not filed counter all these years goes to show that the assertion made by the petitioner is true. In view of the same, the impugned order is liable to be set aside and the same is set aside.

Accordingly, the writ petition is allowed. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

06.01.2017
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A.RAJASHEKER REDDY, J

