

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.29204 of 2010

Date :24.1.2018

Between :

Y S Chandramouli D/o Surya Raghavulu
35 yrs
R/o Anandapuram village & mandal
Visakapatnam

Petitioner

And

The District Collector,
Visakapatnam and others

Respondents

The Court made the following:



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ORAL ORDER:

Petitioner was working as Anganwadi worker at Anganwadi centre, Anandapuram village and mandal, Visakapatnam. She was served with show cause notice dated 12.4.2010 leveling several allegations on her functioning as Anganwadi worker including arrogance response to the officers' directions, not attending review meetings, harassing the coworkers. It also appears that the Member, Mandal Parishad Parishad, Sarpanch, villagers and MLA of Bhimunipatnam submitted a complaint against the petitioner about her manner of working. Petitioner submitted explanation to the said show cause notice. In the explanation filed by the petitioner, she makes personal allegations against the Project Director. On due consideration of the explanation offered by the petitioner and not satisfied with the same, the Project Director passed the orders dated 15.7.2010 removing the petitioner from service of the Anganwadi worker. Aggrieved thereby, this writ petition is filed.

2. Heard learned counsel for petitioner and learned Assistant Government Pleader.

3. Learned counsel for petitioner submits that petitioner has rendered satisfactory service ever since she was appointed on 13.10.1997; that false allegations are leveled against the petitioner; the Sarpanch, Members of Gram Panchayat and others who were inimical to petitioner deposed against her and generated false complaint; that there is no truth in the allegations and on fictitious allegations, disciplinary proceedings are initiated throwing her from employment.

4. Learned Assistant Government Pleader submits that on finding illegalities in her performance of duty, show cause notice was issued. The show cause notice contain detailed allegations against the petitioner. In response to the show cause notice, petitioner did not

answer the allegations made against her, but was trying to make counter allegations against the officers. Perusal of the order would disclose that earlier also petitioner was warned several times but has not mended his behavior and continued to behave in arrogant manner. It appears that petitioner was not allowing the Anganwadi Helper to perform her legitimate duties, not attending to all sectoral and project level meetings whenever time is fixed but attending the meetings at her convenience. Even though she was instructed to handover the charge of Anganwadi worker and attend the meeting at 10.30 am, she refused to do so and only attending the meeting much later. Thus, the instances noticed by the disciplinary authority would disclose the arrogant behavior of the petitioner. Indiscipline cannot be tolerated by any employer, more particularly, a person working as Anganwadi Worker must have lot of patience and dedication to the work.

5. I do not see any error in the assessment made by the disciplinary authority in issuing impugned order, removing the petitioner from service. Further, no illegality or irregularity, much less grave irregularity is pointed out warranting interference by this Court. It is apt to note at this stage that Court does not act as appellate authority over the decisions of the competent authority. Competent authority has considered all aspects before taking a decision in removing the petitioner from service. Writ Petition merits no consideration and the same is accordingly dismissed. No costs. Having regard to the same, miscellaneous petitions, if any pending, are closed.

P NAVEEN RAO,J

DATE: 24.1.2018
TVK

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