

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.39152 of 2017

ORDER:

The petitioner states that she is a resident of Ramannapalem Village of Lakshmipuram Sector, ICDS, Thiruvuru, Krishna District. She states that she was selected as Anganwadi worker of Ramannapalem Centre after undergoing due process of selection and was appointed to the said post on 13.10.2000. Her services were terminated on 21.01.2016 on the ground of certain allegations and challenging the same, she preferred W.P.No.3392 of 2016. The said Writ Petition was disposed of on 05.02.2016 assuming that the petitioner preferred an appeal to the District Collector, Krishna District at Machilipatnam, and when the same was pending, fresh recruitment notification was issued for filling up of vacancy. This Court gave liberty to the petitioner to raise additional grounds in support of her appeal already filed, within a period of one week and the District Collector, Krishna District at Machilipatnam, was directed to consider the appeal and pass appropriate orders. It was also directed that till appropriate orders are passed by the appellate authority, the competent authority shall not take further steps pursuant to notification, dated 23.01.2016, insofar as the Anganwadi centre at Ramannapalem village is concerned. It appears that the said order was not complied with by the District Collector, which resulted in filing Contempt Case No.687 of 2017. When papers in the contempt case were served, the District Collector passed order on 28.06.2017 stating that the petitioner did not prefer any appeal to him nor filed any additional grounds, except submitting a representation

seeking re-appointment. It was also stated that she agreed in her statement recorded earlier that she committed all the irregularities mentioned against her. Challenging the said order of the District Collector, dated 28.06.2017, the present writ petition is filed.

2. In order to verify the contents of the order of the District Collector, this Court called for record from the authorities and it is noticed that no appeal was preferred by the petitioner before the District Collector. The petitioner also did not raise any additional grounds even though this Court granted liberty to file additional grounds in the order, dated 05.02.2016, in W.P.No.3392 of 2016. However, taking into consideration the representation of the petitioner and the over all facts and circumstances of the case, the District Collector, thought it fit to reject the request of the petitioner for re-appointment. When the petitioner did not prefer an appeal and did not avail liberty granted by this Court, the order passed by the District Collector cannot be found fault. This Court sees no reason to interfere with the said order.

3. Accordingly, the Writ Petition is dismissed. Miscellaneous petitions, if any, pending in this petition shall stand closed. There shall be no order as to costs.

A.RAMALINGESWARA RAO, J

NOVEMBER 28, 2017

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Date: 28.11.2017

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