

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2018

CORAM

THE HON'BLE MR. JUSTICE T.RAJA

W.P.No.2637 of 2018

and

W.M.P.Nos.3266 and 3267 2018

Preethi ... Petitioner

Vs.

1.The District Collector,
Collectorate, Ooty.

2.Jesintha ... Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of certiorarified mandamus to call for the records of the first respondent in its proceedings in Se.Mo.Na.Ka.No.261/A/2017 dated 05.12.2017 and quash the same and further directing the first respondent to appoint the petitioner in the post of Noon Meal Organizer vacant in Periyar Nagar, Anganvaadi Centre, Gudalur.

For Petitioner ... Mr.S.Arivazhagan

For Respondents .. Mr.R.S.Selvam,
Govt. Advocate for R1

ORDER

Mr.R.S.Selvam, learned Government Advocate takes notice for the first respondent.

2.This writ petition is filed by one Preethi, challenging the impugned proceedings dated 05.12.2017 issued by the first respondent/District Collector, Ooty, The Nilgiris District, appointing the second respondent as Anganwadi worker on the ground that when the petitioner is residing within the same village, the first respondent herein has wrongly appointed the second respondent, who is residing 4 kms away from the centre.

3. Refuting the above contention, learned Government Advocate appearing for the first respondent produced a copy of the Government Order in G.O.Ms.No.110 Social Welfare and Nutritious Meal Programme (SW7) Department dated 14.05.2012 and submitted that as per the said Government Order, eligible and suitable candidates can be considered from the neighbouring panchayats located within 10 kms, if no suitable candidate is available for the post of Anganwadi worker. It is relevant to extract para 2.8 of the said Government Order:

2.8 Residency:

The Government direct that the applicant should be the resident of the same hamlet. If no eligible/suitable candidate from the same hamlet is available, the candidates from the neighbouring hamlets of the same panchayat of the particular centre shall be considered. Even then, eligible/suitable candidates are not available, the candidates from the neighbouring panchayats located within 10 kms shall be considered for the appointment of Anganwadi worker.

In respect of Anganwadi centres in the Municipality/Corporation area, the applicant residing in the same ward shall be considered. If no eligible/suitable candidate from the same ward is available, the candidates from the nearby ward shall be considered. Even then the eligible candidates are not available, candidates from the division shall be considered for appointment of Anganwadi worker.

4. In view of the above, the contention made by the petitioner that the second respondent is residing 4 kms away from the Anganwadi centre is wholly misconceived. Therefore, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

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-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

mmi

To

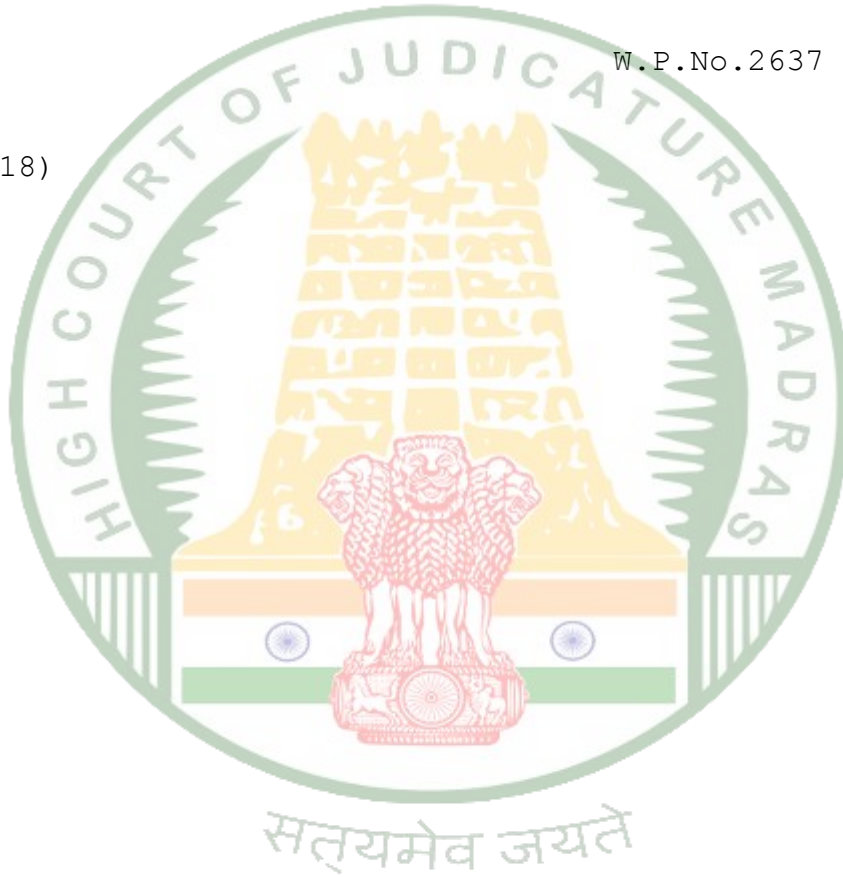
The District Collector,
Collectorate, Ooty.

+1 CC to Mr.S.Arivazhagan, Advocate Sr.No.9365

+1 CC to Government Pleader, High Court, Chennai Sr.No.10319

W.P.No.2637 of 2018

KP(28/02/2018)



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