



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.06.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

AND

THE HONOURABLE MRS.JUSTICE R.THARANI

W.A(MD)No.738 of 2018

Santhi

... Appellant/Petitioner

Vs.

1.The District Collector,
Tirunelveli District.

2.The Child Development Project Officer,
Sankarankovil Taluk,
Tirunelveli District.

3.M.Rajathi

... Respondents/Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent against the order, dated 01.02.2018 made in W.P(MD)No.19619 of 2017, on the file of this Court.

Prayer in WP(MD). 19619/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorarified mandamus calling for the records relating to impugned appointment order of the 3rd Respondent dated .09.2017 issued by the 1st Respondent vide in Se.Mu.Na.Ka.No.767/A1/2017-3 and quash the same as illegal and contratory to own procedure of the 1st Respondent and consequently direct the 1st Respondent to appoint the petitioner in the place Subramiyapuram village, Sankarankovil Taluk, Tirunelveli District post of Anganwadi Helper

For Appellant

: Mr.V.Muthuvelan

For RR 1 & 2

: Mr.S.Angusamy,
Government Advocate.

JUDGMENT

(Judgment of the Court was delivered by
M.DURAI SWAMY, J.)

Challenging the order passed in W.P(MD)No.19619 of 2017, dated 01.02.2018, the Writ Petitioner has filed the above Writ Appeal.

<https://hcservices.ecourt.gov.in/hcservices/> The Appellant has filed the above Writ Petition to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned appointment order of the third respondent,



dated .09.2017 issued by the first respondent and to quash the same and consequently, direct the first respondent to appoint the petitioner in the place of the third respondent.

3.It is not in dispute that the appellant was a candidate for the post of Anganwadi Helper in Subramanipayapuram Village in Sankarankovil Taluk and she was not selected, instead, the third respondent was selected.

4.The contention of the appellant was that the third respondent got married and she is living in Chennai and that therefore, appointing the third respondent is a clear violation of the recruitment norms.

5.The second respondent has filed her counter-affidavit, wherein in paragraph No.8, she has specifically stated that the averment of the appellant that the qualification for the appointment of Anganwadi Helper is 8th standard is not correct and that the third respondent scored more marks and also that the third respondent is able to read and write.

6.Since the second respondent has specifically stated that the third respondent is eligible to be appointed as Anganwadi Helper, the learned Single Judge has rightly dismissed the Writ Petition. We do not find any merits in the Writ Appeal. Accordingly, the Writ Appeal is dismissed. No costs.

Sd/
Assistant Registrar(CS-III)

/True copy/

Sub Assistant Registrar

To

1.The District Collector,
Tirunelveli District.

2.The Child Development Project Officer,
Sankarankovil Taluk,
Tirunelveli District.

+1cc to Mr.M.MUTHUVELAN, Advocate, SR.No.66801

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