



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.05.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.10786 of 2018

and

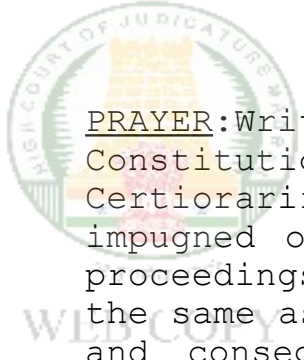
W.M.P. (MD) Nos.9894 & 9895 of 2018

A.Chandra

... Petitioner

-Vs-

1. The State of Tamil Nadu
Rep by it's Principal Secretary/Special Commissioner
Department of Social Welfare and
Nutritious Meal Programme,
Secretariate, Chennai-09.
 2. The Joint Director (Administration),
Integrated Child Development Services Department,
Tharamani,
Chennai-113.
 3. The Commissioner for Integrated Child
Development Services,
Pammal Nallathambi Street,
Tharamani,
Chennai-600 113.
 4. The District Collector,
Karur District,
Karur.
 5. The Project Officer,
ICCDs Scheme,
Collectorate,
Thanthonimalai,
Karur.
 6. R.Dhanalakshmi
Anganwadi Worker,
Thirumakkampatti Centre,
Kujiliamparai (Child Development Planning Office),
Dindigul District.
- ..Respondents



PRAYER:Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the third respondent vide his impugned proceedings Se.Mu.Na.Ka.No.46/13-4/2018 dated 20.04.2018 and quash the same as illegal in so far as the sixth respondent is concerned and consequentially to direct the respondents to promote the petitioner for appointment by promotion to the post of Anganwadi worker at Maamarathupatti Centre, Thennilai Village, Kadvur Taluk, Karur District in the light of the order issued by the third respondent in his proceedings in Na.Ka.No.4084/I 3-2/2014 dated 31.10.2014.

For Petitioner : Mr.H.Mohammed Imran
for M/s.Ajmal Associates
For Respondents : Mr.J.Gunaseelan Muthiah
Additional Government Pleader

ORDER

The petitioner is working as Mini Anganwadi Worker in Meenakshipuram Centre, Kadavur Taluk, Karur District. She questions the impugned order dated 20.04.2018 passed by the third respondent herein.

2.The learned counsel appearing for the petitioner submits that the petitioner's next promotional post is of Anganwadi Worker and that it is the customary practice to give priority and preference to the Mini Anganwadi worker working in the same Taluk. According to the petitioner, her promotional avenue will be blocked by the transfer and posting given in favour of the 6th respondent.

3.The learned counsel for the petitioner submitted that the post of Anganwadi Worker is not transferable. In this regard, he referred to the decision of the Hon'ble Supreme Court in S.L.P. (Civil) Nos.34795-34796 of 2014. This Court posed a specific query if such a proposition, has been laid down by the Hon'ble Supreme Court. This Court gave five minutes to the learned counsel for the petitioner to point out the relevant portion in the judgment. Finally, the learned counsel for the petitioner gave up and fairly submitted that no such proposition has been laid down in that judgment.

4.This Court is of the clear opinion that the petitioner has no *locus standi* to question the order of transfer made in favour of the 6th respondent. Admittedly, there is a vacancy in the post of Anganwadi Worker in Maamarathupatti. The 6th respondent is Anganwadi Worker in another centre. The competent authority has passed the impugned order of transfer. The petitioner has not been transferred from one unit to another. Her



legal rights have not been infringed. At this stage, the learned Additional Government Pleader appearing for the official respondents submitted that the panel will be prepared in the month of August 2018 and that the case of the petitioner would be considered. This submission is placed on record. The impugned order of transfer was passed on 20.04.2018. The learned Additional Government Pleader appearing for the official respondents, on instruction, would submit that the 6th respondent has already joined at Maamarathupatti Centre.

5. Recording the submission made by the learned Additional Government Pleader appearing for the official respondents, this writ petition is disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To

1. The Principal Secretary/Special Commissioner
Department of Social Welfare and
Nutritious Meal Programme,
Secretariate, Chennai-09.
2. The Joint Director (Administration),
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3. The Commissioner for Integrated Child Development Services,
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Tharamani, Chennai-600 113.
4. The District Collector,
Karur District, Karur.
5. The Project Officer,
ICCDs Scheme, Collectorate,
Thanthonnimalai, Karur.

+ 1 cc TO The Special Government Pleader in SR No. 65280

rmk/Ns

AE/JC/SAR4/29.05.2018/3P/7C

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