



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.02.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) .No.16731 of 2017

and

W.M.P. (MD) .No.13340 of 2017

P.Umadevi

...Petitioner

Vs.

1. The District Collector,
Dindigul District.

2. The District Programme Officer,
Integrated Child Development Scheme,
(ICDS) Project Office,
62 MGR Nagar, Tirunagar Post,
Palani Taluk, Dindigul District.

... Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned news bulletin Dinamalar dated 07.08.2017 issued by the first respondent for filling up of Anganwadi worker and Anganwadi Assistant under the Child Development Programme, quash the same and consequently direct the respondents herein to conduct free and fair selection process in filling up of Anganwadi worker and Anganwadi Assistant under the Child Development Programme by following the rule of reservation.

For Petitioner : Mr.C.Jeganathan

For Respondents : Mr.Chellapandi
Additional Advocate General
Assisted by
Mr.A.K.Baskara Pandian
Additional Government Pleader

ORDER

Heard the learned counsel on either side.

2.The petitioner challenges the recruitment process initiated by the first respondent for filling up of the post of Anganwadi worker and Anganwadi Assistant under the Child Development scheme.



3.The primary contention urged by the petitioner is that the first respondent had merely issued a paper publication on 07.08.2017. There is no formal publication of the employment notification. There is only a press release.

4.When the matter was taken up for final disposal, the learned Additional Advocate General drew the attention of this Court to G.O.(Ms).No.110, Social Welfare and Nutritious Meal Programme (SW7) Department, dated 14.05.2012, in which, it has been stated that the District Collector concerned except Chennai, will call for applications for filing up of vacancies in the respective Anganwadi Centre indicating the eligibility criteria through press release. This has been mentioned as the method of recruitment. G.O.(MS).No.110, Social Welfare and Nutritious Meal Programme (SW7) Department, dated 14.05.2012 is not under challenge. Therefore, the action of the first respondent cannot be faulted.

5.That apart, the learned Additional Advocate General rightly contended that the petitioner having taken part in the selection process cannot now be permitted to question the same. This Court finds considerable force in the said submission. There is no merit in the Writ Petition. The Interim order stands vacated. Inasmuch as the petitioner had taken part in the selection process, her case for appointment has to be considered on merits and in accordance with law.

6.With the above observation, this Writ Petition stands dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(AD-I)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Dindigul District.
2. The District Programme Officer,
Integrated Child Development Scheme,
(ICDS) Project Office,
62 MGR Nagar, Tirunagar Post,
Palani Taluk, Dindigul District.

+ 1 cc TO M/S.Veera Associates , Advocate in SR No. 46246
+ 1 cc TO The Special Government Pleader in SR No. 46165

tsg

AE/SV MMS/SAR1/18.05.2018/2P/5C