



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.01.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.17585 of 2017

and

WMP(MD)Nos.14126 & 17096 of 2017

Nagajothi

... Petitioner

Vs.

1.The District Collector,
Office of the District Collector,
Collectorate, Tuticorin District.

2.The Child Development Officer,
Ottapidaram, Tuticorin.

3.The District Programme Officer,
Ottapidram, Tuticorin District.

... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records relating to the impugned order passed by the first respondent vide his proceedings Ref.No.A1/2485/2017-AW1 dated on 13.09.2017, quash the same.

For Petitioner : Mr.Niranjana S.Kumar
For Respondents : Mr.S.Dhayalan,
Government Advocate

O R D E R

The petitioner belongs to MBC/DNC community. He was appointed as Anganwadi worker on 09.09.2017. Her appointment order was cancelled on 13.09.2017. Admittedly, the writ petitioner was not put on notice before passing the impugned order of cancellation. The writ petitioner moved this Court immediately. Thereafter, the interim stay was granted by this Court. But, till date, the writ petitioner had not been reinstated in her service. The petitioner appears to have filed a contempt petition also in the meanwhile for non compliance.

2.The first respondent is directed to reinstate the petitioner in service forthwith. Such an order is passed since admittedly the post in question is still vacant. Since the order of cancellation of appointment was passed without notice to the writ petitioner, the same is liable to be set aside. On the sole ground of violation of



principles of natural justice, the order impugned in this writ petition is set aside. The matter is remitted to the file of the first respondent to pass fresh orders in accordance with law.

3. This writ petition is allowed as indicated above. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (RTI)

/True Copy/

Sub-Assistant Registrar

To

1. The District Collector,
Office of the District Collector,
Collectorate, Tuticorin District.

2. The Child Development Officer,
Ottapidaram, Tuticorin.

3. The District Programme Officer,
Ottapidram, Tuticorin District.

+One cc to The Special Government Pleader, SR.No.40805

+One cc to Mr. Niranjan S. Kumar, Advocate, SR.No.40579

skm

RL/6C/2P/JC/SAR4/19/1/2018

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