



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.02.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.19619 of 2017

and

W.M.P.(MD) Nos.15900 and 15901 of 2017

Santhi

... Petitioner

Vs.

1.The District Collector,
Tirunelveli District.

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

3.M.Rajathi

... Respondents

Prayer : This writ petition is filed under Article 226 of the Constitution of India, 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 contrary to own procedure of the 1st respondent and consequently direct the 1st respondent to appoint the petitioner in the place Subramaniyapuram Village, Sankarankovil Taluk, Tirunelveli District post of Anganwadi Helper.

For Petitioner : Mr.V.Muthuvelan

For Respondents : Mr.A.K.Baskara Pandian, Spl.G.P.
For RR1 and 2

O R D E R

The petitioner was a candidate for the post of Anganwadi Helper in Subramaniyapuram village in Sankarankovil Taluk. The petitioner was not selected. Instead one Rajathi, the third respondent was selected.

2.The learned counsel for the petitioner contended that the third respondent got married and has stayed in Chennai and that therefore appointing the third respondent is a clear violation of the recruitment norms.



3.To a pointed question as to whether it has been averred in the affidavit that the third respondent herein had left the village and staying in Chennai permanently, the learned counsel after going through the affidavit submitted that no such averment was made in this affidavit.

4.This Court went through the materials on record. The writ petitioner in her representation to the District Collector had stated that the husband of Rajathi is employed at Chennai and that they are financially well off. Even in the said representation, there is no averment that Rajathi is not the native of the village in question. Therefore, the order impugned in this writ petition is sustained. The appointment of the third respondent cannot be said to be illegal.

5.Therefore, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are also dismissed.

Sd/-

Assistant Registrar(Protocol)

/True Copy/

Sub-Assistant Registrar

To

1.The District Collector,
Tirunelveli District.

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

+One cc to The Special Government Pleader, SR.no.46173

Arul

RL/4C/2P/SKN/RSK/SAR4/19/2/2018

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