

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 22.03.2018

CORAM:

THE HONOURABLE MR. JUSTICE S.M. SUBRAMANIAM**W.P. (MD) No. 7674 of 2011**

WEB COPY

M. Anusiya

... Petitioner

Vs

1. The District Collector,
Dindigul District,
Dindigul.

2. A. Veena

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the 1st respondent in his proceedings Sa.Moo.Na.Ka.No.3603/A1/2009 dated 23.02.2011 appointing the second respondent as Anganwadi Paniyalar at Thangaiyapuram, Nilakottai Taluk, Dindigul and quash the same.

For Petitioner

: Mr.K.Periyasamy

For R1

: Mr.M.Muthu

Additional Government Pleader

For R2

: Mr.B.Rooban

ORDER

The relief sought for in this writ petition is to quash the order of appointment issued in favour of the second respondent vide proceeding dated 22.03.2011.

2. The learned counsel for the writ petitioner states that the writ petitioner is very much residing in Ramarajapuram and therefore, she will be more suitable for appointment to the post of Anganvadi Paniyalar. The Government order also stipulates that the eligible candidate in the same village has to be appointed to the post of Anganvadi Paniyalar.

3. The learned Additional Government Pleader appearing on behalf of the first respondent states that the residence is a preference and that, alone cannot be the criteria. The other criteria fixed by the Government are also to be considered at the time of conducting the selection by the authorities.

4. The learned counsel appearing on behalf of the second respondent states that the second respondent performed well before the selection committee and she was selected by the committee which was duly constituted for the purpose of selection. There was no irregularity in view of the selection process. The second



respondent is working for 8 years and in the event of unsettling the appointment the second respondent will be in prejudice.

5. This Court is of an opinion that the selection was conducted by the duly constituted committee and the committee evaluated the candidates before selecting them. Based on the evaluation and based on the criteria fixed by the Government, the second respondent was appointed as Anganwadi Paniyalar. This Court cannot question the merit assessment made by the selection committee and the same was made at the wisdom of the members who evaluated the candidates during the interview. Under these circumstances, the writ petitioner has not made out any grounds for the purpose of quashing of the appointment order of the second respondent. It is left open to the writ petitioner to participate in the next process of selection. This apart, the second respondent is already serving for eight years and the settling appointment cannot be unsettled after a lapse of eight years.

6. Accordingly, this writ petition stands dismissed. No Costs.

Sd/-
Assistant Registrar(w)

/True Copy/

Sub Assistant Registrar

To

The District Collector,
Dindigul District,
Dindigul.

+1cc to Mr.B.Rooban, Advocate Sr.No.57080
+1cc to Mr.PT.S.Narndravasan, Advocate Sr.No.57332
+1cc to Spl.Government Pleader Sr.No.57570

pnn

VB/KKR/SAR1/06.04.2018/2P/5C

W.P. (MD) No.7674 of 2011
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