

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.15836 of 2002

ORDER :

This writ petition is filed seeking a Writ of Mandamus, declaring the action of respondents 1 to 3 in not considering the case of the petitioner for selection as Anganwadi Instructor and considering case of respondent No.6 though she got lesser qualification than the petitioner, as arbitrary, illegal and contrary to the notification and accordingly set aside the selection of respondent No.6 as Anganwadi Instructor of Thogatapalem Centre, Vinjamuru Mandal, Nellore District, and consequently direct respondents to conduct fresh selection and select the candidate as per the guidelines of the notification issued by the 2nd respondent.

2. It is the case of the petitioner that she is a native of Thogatapalem village and she is fully eligible and qualified to be appointed as Anganwadi Instructor. On 08.06.2002, respondents 1 to 4 have issued a notification for appointment of Anganwadi Instructor. The petitioner has responded to the said notification. The grievance of the petitioner is that even though she was more meritorious, the official respondents have selected respondent No.6 as Anganwadi Instructor. Challenging the same, the present writ petition is filed. Learned counsel for petitioner contended that respondent No.6 is not a native of Thogatapalem village; she is not the daughter-in-law of the said village and studied only 10th Class,

whereas, the petitioner has studied Intermediate and contend that the petitioner is more qualified than respondent No.6. Therefore, respondents 1 to 4 ought not to have selected respondent No.6, who is less meritorious than the petitioner and contend that the appointment of respondent No.6 is liable to be set aside on this ground.

3. The learned Government Pleader appearing for respondents contended that the Mothers' Committee have selected respondent No.6 on 05.01.2003 as she possessed 10th Class and she is also a native and daughter-in-law of Thogatapalem village. It is submitted that the contentions raised by the petitioner are incorrect and there are no merits in the writ petition and it is liable to be dismissed.

4. This Court, having considered the rival contentions of the parties, is of the considered view that the official respondents have rightly selected respondent No.6 as Anganwadi Instructor as she possessed the basic qualifications required for such appointment.

5. In view of above, there are no merits in the writ petition and it is accordingly dismissed. No order as to costs.

Pending miscellaneous applications, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

13th November, 2018

ajr