

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 39101 of 2015

ORDER:

This writ petition is filed seeking a writ of mandamus to declare the action of official respondents in selecting 5th respondent and appointing her as Anganwadi Helper of CSM Colony, Tadigolta Panchayat, C.K.Dinne Mandal, YSR Kadapa District under ICDS Kadapa (Rural) Project by 4th respondent vide proceedings No.S.A/61/2015 dated 13.11.2015, as illegal and arbitrary. A consequential direction is also sought to appoint the petitioner as Anganwadi Helper by setting aside the proceedings dated 11.11.2015.

2. Heard Sri L.J. Veera Reddy, learned counsel for the petitioner, learned Government Pleader for Women Development and Child Welfare Department appearing for respondent Nos.1 to 4, and Sri S.S.Bhatt, learned counsel for the 5th respondent.

3. It has been contended by learned counsel for the petitioner that pursuant to a notification dated 06.10.2015 issued by the 3rd respondent for appointment of Anganwadi Worker, Anganwadi Helper and Anganwadi Mini Worker under 15 ICDS Projects in Kadapa District, the petitioner and the 5th respondent applied for the post of Anganwadi Helper, but the 3rd respondent issued the impugned proceedings appointing the 5th respondent as Anganwadi Helper of CSM Colony, Tadigolta Panchayat, C.K.Dinne Mandal, within Kadapa Rural ICDS Project, though the 5th respondent is not at all

native of Kadapa Rural ICDS Project and she belongs to Veerapunayunipalli Mandal which comes within Kamalapuram ICDS Project and the petitioner is more meritorious candidate than the 5th respondent and the 5th respondent has not passed X class in a single attempt.

4. The 4th respondent filed a counter affidavit stating that in response to the notification dated 06.10.2015, all the eligible candidates were called for interview on 03.11.2015 before the Selection Committee, as per G.O.Ms.No.18, WDCW & DW Department, dated 15.05.2015. The 5th respondent had secured 62.5 marks, whereas the petitioner secured 54.5 marks, according to the prescribed parameters. Hence, the Selection Committee selected the 5th respondent for the post of Anganwadi helper, CSM Colony Anganwadi Centre, Thadigotla Panchayat, C.K.Dinne Mandal, Kadapa. As per the integrated certificate issued by the revenue authorities, aadhar card and household card in favour of the 5th respondent, she is a native of Sivasandhyanager of Thadigotla village, C.K.Dinne Mandal. The action of the respondents in selecting the 5th respondent is purely in accordance with G.O.Ms.No.18 dated 15.05.2015. In view of the above, the writ petition is liable to be dismissed.

5. The 5th respondent filed a counter affidavit and filed certain additional material papers demonstrating that she was born at Sivasandhya Nagar in Kadapa town and studied up to X class in

Ramarksihna School, Kadapa. Her parents are also the natives and residents of Sivasandhyanagar, C.K.Dinne Mandal, Kadapa town and they have been staying in Kadapa town for the last 25 years. The address in the ration card issued by the revenue authorities in her favour shows that she is a resident of Sivasandhyanagar of Kadapa Town and it was issued much prior to the issuance of the notification dated 06.10.2015 issued by the 3rd respondent. She has passed X class in compartmental division, but no preference would be given if X class is passed in a single attempt. Therefore, the writ petition is liable to be dismissed.

6. Having considered the submissions made by the parties and in view of the fact that the 5th respondent is a native of Sivasandhya Nagar, C.K.Dinne Mandal, Kadapa, and she is eligible for the post of Anganwadi Helper, and the respondents selected the 5th respondent purely in accordance with G.O.Ms.No.18 dated 15.05.2015, this Court is of the considered view that the points raised by the petitioner are liable to be rejected. There are no merits in the writ petition and, accordingly, the writ petition is dismissed.

Consequently, miscellaneous petitions if any pending in the writ petition shall stand closed. There shall be no order as to costs.

ABHINAND KUMAR SHAVILI, J

30th April, 2018
cbs

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI



WRIT PETITION No. 39101 of 2015
(dismissed)

30th April, 2018

cbs

