

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P. No.3404 of 2007ORDER:

This writ petition is filed seeking a writ of mandamus declaring the impugned action of the respondents in appointing the 5th respondent as Anganwadi Worker of Budiredlapalem Village, Butcheyyapeta Mandal, Viskahapatnam district, though she is not having the qualification, and further denying consideration of the petitioner though the petitioner is having higher qualification than the 5th respondent, as arbitrary, illegal and sought for a consequential direction to set aside the appointment of the 5th respondent in proceedings dated 23.01.2007, by directing the respondents to re-conduct the selections for considering the case of the petitioner.

2. Heard Sri E.Venkat Rao, counsel for the petitioner and the Government Pleader for Women Development and Child Welfare Department.

3. It has been contended by the petitioner that herself and the 5th respondent had applied for the post of Anganwadi Worker of Budiredlapalem Village, and that she is fully eligible and qualified to be appointed as Anganwadi Worker. The grievance of the petitioner is that though she has studied upto IX Class and though she is more meritorious than the 5th respondent, her case was not considered for appointment as Anganwadi Worker and the case of the 5th respondent was considered, though she has passed only VII Class and she is less qualified than the petitioner.

4. The Government Pleader appearing for the respondents had contended that interviews were conducted by the Selection Committee headed by the Revenue Divisional Officer, the District Medical and Health Officer, Child Development Project Officer, I.C.D.S Project Director, and the Selection Committee members have selected the 5th respondent for giving apt answers to the questions put by the committee, opining that the 5th respondent is more suited to the job as an Anganwadi Worker, as the Anganwadi Worker has to play an important role in interacting with pregnant and lactating women about their hygienic conditions. He further contends that no illegality has been committed by the respondents in selecting the 5th respondent, as mere possessing higher educational qualification will not automatically give any preference to the petitioner, and there are no merits in the writ petition and the same is liable to be dismissed.

5. Having considered the rival submissions of the parties, this Court is of the considered view that the respondents have rightly appointed the 5th respondent as Anganwadi Worker, based on the recommendations of the Selection Committee. There are no merits in the writ petition and the same is liable to be dismissed.

6. Accordingly, the writ petition is dismissed as devoid of merits. No order as to cost. Miscellaneous petitions pending, if any, stand closed.

ABHINAND KUMAR SHAVILI, J

Date: 31.10.2018
DMG

