

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.20735 OF 2005

ORDER

This writ petition is filed seeking the following relief:

“... to issue an order, direction or writ more particularly one in the nature of Writ of Mandamus or any other appropriate writ declare the termination order Memo HNo.A1/190/05, dated 3.6.2005 issued by the 1st respondent is illegal, arbitrary and violative of principles of natural justice; and consequently set aside the termination Memo No.A1/190/05, dated 3.6.2005 and allow the petitioner into service with all consequential benefits and pass such other order or orders as this Hon'ble Court may deem fit and proper in the interest of justice.”

Heard Smt K.Udaya Sri, learned counsel appearing for the petitioner and learned Government Pleader for Women and Child Welfare appearing for the respondents.

It is the case of the petitioner that she studied upto SSC, got married and due to certain disputes, she obtained divorce from her husband on 10-12-2004. While the matter stood thus, pursuant to the notification issued by the respondents, she applied for the post of Anganwadi Worker. After undergoing regular selection process, she was selected and appointed as Anganwadi Worker *vide* proceedings dated 23.03.2005 and discharging her duties as such. Subsequently, 1st respondent *vide* proceedings dated 3.6.2005 terminated the petitioner on

the ground that she is not residing in Ramavaram, Kothagudem Mandal and not a married woman. Challenging the same, the present writ petition is filed.

While admitting the writ petition on 22.09.2005, this Court in WPMP No.26467 of 2005 granted interim suspension of the impugned order.

Learned counsel appearing for the petitioner submits that in spite of the said interim suspension, the respondents have not taken her into service. He further submits that in the counter-affidavit at paragraph No.4, the respondents have specifically pleaded that there is a vacancy in Ramavaram, Kothagudem Mandal.

Learned Government Pleader appearing for the respondents contends that the petitioner has given a false information and as the petitioner is not residing in Ramavaram Village, the respondents have rightly terminated her services.

Having considered the rival submissions made by the learned counsel on either side, this Court is of the view that ends of justice would be met if a direction is given to the petitioner to submit a representation to the respondents to consider her case.

Accordingly, the Writ Petition is disposed of directing the petitioner to submit a representation to the respondents to consider her case for appointment as Anganwadi Worker in the vacant post at Ramavaram, Kothagudem Mandal, and as and when such representation is received, the respondents shall consider the same and pass appropriate orders within a period of four weeks thereafter. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

22nd October, 2018
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