

HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI**WRIT PETITION No.9081 OF 2008****ORDER:**

1. This writ petition is filed seeking to issue a writ of Mandamus declaring the action of the 1st respondent in selecting the 2nd respondent as Anganwadi worker for Anganwadi Centre, Dandagiri village, Wanaparthi Mandal, Mahaboobnagar District, as illegal and arbitrary, and consequently, to direct the 1st respondent to appoint the petitioner as per merit list.

2. Heard Smt. B. Kavitha, learned Counsel for the petitioner and the learned Government Pleader for Women and Child Welfare for the official respondents.

3. It has been submitted by the petitioner that she responded to the notification for the post of Anganwadi worker, Dandagiri village, and she participated in the selection process during December, 2007 and after selections, the official respondents displayed the merit list, and in the said merit list, the petitioner was shown at Sl.No.2 and one Smt. Vanaja Kumari was placed at Sl.No.1. Further, it has been submitted by the petitioner that the said Vanaja Kumari did not attend for interview, and that since the petitioner is the next meritorious candidate, her case should be considered for appointment as

Anganwadi worker, but the respondents have appointed the 2nd respondent, who secured less marks than the petitioner.

4. The learned Counsel for the petitioner contended that the appointment of the 2nd respondent should be set aside and the case of the petitioner should be considered for appointment to the post of Anganwadi worker, Dandagiri village.

5. The learned Government Pleader for the official respondents contended that the list what has been displayed in the notice board was not the selection list and it was the list of number of applications received for the post of Anganwadi worker. The learned Government Pleader further contended that since Vanaja Kumari had applied at earlier point of time, she was shown at Sl.No.1 and the petitioner was the second candidate, who applied for the said post and the 2nd respondent was shown at Sl.No.3, and at no stretch of imagination, the list cannot be construed as merit list. The learned Government Pleader further contended that in the counter-affidavit, it was clearly stated that the applications were invited for the post of Anganwadi worker, Dandagiri village and that the petitioner is not residing in Dandagiri village, Wanaparthi Town and she is residing at H.No.16-159, Brahmamangari Veedhi in Wanaparthi Town, and that the 2nd respondent is native of Dandagiri and therefore, her case was considered, and that the official respondents have not committed any illegality in appointing the

2nd respondent as Anganwadi worker, and that the case of the petitioner was considered and in the selection process, she was disqualified on the ground that she is not a resident of Dandagiri village and there are no merits in this writ petition.

6. Considering the rival submissions made by the parties, this Court is of the view that the official respondents have rightly appointed the 2nd respondent. Since the petitioner is not a resident of Dandagiri, her case was rightly rejected by the respondents. There are no merits in this writ petition.

7. Accordingly, the Writ Petition is dismissed. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.



JUSTICE ABHINAND KUMAR SHAVILI

Dated: 31st October, 2018.
Nn.

HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.9081 OF 2008

(dismissed)



31/10/2018

Nn.

