

**HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI**

**WRIT PETITION No.6387 OF 2015**

**ORDER:**

1. This writ petition is filed seeking to issue a writ of Mandamus declaring the selection and appointment of the 6<sup>th</sup> respondent to the post of Anganwadi worker in Gollapalem Anganwadi Centre, Code No.0612168, under Movva Integrated Child Development Service (ICDS) Scheme, Krishna District, vide orders of the 1<sup>st</sup> respondent dated 10.2.2015, as illegal and contrary to the Government orders issued in G.O.Ms.No.21, WC & CW (ICDS) Department, dated 24.8.2007 and G.O.Ms.No.39, WCD & SC (ICDS), dated 6.9.2011, and consequently, to set aside the selection and appointment of the 6<sup>th</sup> respondent and to direct respondents Nos.1 to 3 to consider the case of the petitioner for selection and appointment to the post of Anganwadi worker in Gollapalem Anganwadi Centre, Code No.0612168, under Movva Integrated Child Development Service Scheme, Krishna District.

2. Heard Sri B. Sesibhushan Rao, learned Counsel for the petitioner and the learned Government Pleader for Women and Child Welfare for the official respondents and Sri G. Ramachandra Reddy, learned Counsel for the 6<sup>th</sup> respondent.

3. The case of the petitioner in brief is as follows:

(i) The Government of A.P. proposing to expand ICDS scheme in the State of A.P., issued order in G.O.Ms.No.21 WD, CW & DW (ICDS) Department, dated 24.8.2007 for selection of Anganwadi workers and helpers. As per the said G.O., the person seeking appointment to the said post should have completed 21 years of age but should not have completed the age of 35 years. Further, the person should be a local married woman and must have passed 10<sup>th</sup> class. Under ICDS Scheme, Movva, Three Anganwadi Centers were established in Papavinasanam Grampanchayat viz., Papavinasanam-I Anganwadi Centre Code No.0612166, (2) Papavinasanam-II Anganwadi Centre Code No.0612167 and another is at Gollapalem, Gollapalem Anganwadi Centre, Code No.0612168. For Centre Code Nos.0612166 and 0612167, Anganwadi Workers and helpers were already appointed. The 6<sup>th</sup> respondent is the member of the Angawadi Centre Code No.0612166 and she is the local habitant of Papavinasanam-I Anganwadi Centre, whereas the petitioner and her children are the members of Gollapalem Anganwadi Centre.

(ii) The 1<sup>st</sup> respondent issued notification for filling up the post of Anganwadi worker for Gollapalem Anganwadi Centre, as it is a vacant on account of appointment of earlier Anganwadi worker as Supervisor. The petitioner applied for Anganwadi worker and

she was called for interview, and the interview was held on 16.12.2014. As per the guidelines for selection of Anganwadi worker, her candidature ought to have been considered for selection, but respondents Nos.1 to 3 selected the 6<sup>th</sup> respondent as Anganwadi worker for Gollapalem Anganwadi centre code No.0612168 vide order dated 10.2.2015. On 27.12.2014, the petitioner requested the 3<sup>rd</sup> respondent to give priority to the local candidates of Gollapalem, but there was no response. Aggrieved by the same, the present writ petition is filed.

4. Learned Counsel for the petitioner submits that as per the orders of the Government of India, Ministry of Woman and Child Development, dated 26.9.2011, the women, who are acceptable to the people in the local community and who are from the local village, should be appointed as Anganwadi workers and helpers, but in the present case, respondents Nos.1 to 3 appointed the 6<sup>th</sup> respondent, who is the resident of Papavinasanam-I Anganwadi centre, in violation of G.O.Ms.No.21, WC, CW & DW (ICDS) Department, dated 24.8.2007 and G.O.Ms.No.39, WCD & SC (ICDS), dated 6.9.2011.

5. The learned Government Pleader submits that as per the certificates submitted by the petitioner along with her application, she is the permanent resident of Papavinasanam village, Ghantasala

Mandal, Krishna District and that Gollapalem is not a separate village and it is a part and parcel of Papavinasanam village as per the revenue records and that all the applicants are the residents of Papavinasanam village and that the 6<sup>th</sup> respondent secured highest marks in interview whereas the petitioner secured lowest marks and therefore, the case of the petitioner was not considered. He further submits that the 6<sup>th</sup> respondent has taken charge and has been discharging her duties as Anganwadi worker from 10.2.2015, and that there are no merits in this writ petition.

6. The petitioner is claiming to be a permanent resident of Gollapalem village. Her main contention is that since she is the resident of Gollapalem village, preference should have been given to her for appointment as Anganwadi worker of Gollapalem Anganwadi Centre Code No.0612168. But the documents produced by the petitioner would disclose that she is a resident of Papavinasanam village, Ghantasala Mandal, Krishna District. Therefore, the contention of the petitioner that preference should have been given for appointment as Anganwadi worker ignoring the other candidates cannot be accepted.

7. Further, on perusal of the material on record, it is obvious that all the persons who had responded to the notification issued for appointment of Anganwadi Worker, Gollapalem village are the

residents of Papavinasanam village, and their candidature was considered in the selection process and as the 6<sup>th</sup> respondent has secured highest marks in interview, the case of the petitioner could not be considered. There are no merits in this writ petition and hence, the same is liable to be dismissed.

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

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**JUSTICE ABHINAND KUMAR SHAVILI**

Dated: 6<sup>th</sup> July, 2018.  
Nn.



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**06/07/2018**

**Nn.**