

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.22057 of 2002

ORDER :

This writ petition is filed seeking a Writ of Mandamus, declaring the action of respondents 1 and 2 in issuing proceedings No.618/A/2000, dated 26.10.2000, as arbitrary, illegal and violative of Article 14 of the Constitution of India.

2. Heard Sri Challa Gunaranjan, counsel for petitioner and the Government Pleader for Women Development and Child Welfare.

3. It has been contended by the petitioner that she is fully eligible and qualified to be appointed as Anganwadi Worker and respondents 1 and 2 had issued a notification on 17.05.2002. Since the petitioner is qualified, she has responded to the said notification. It has been further contended by the petitioner that she has passed 10th Class and she is a native of Iruvendala village, Singamala Mandal, Anantapur District. Respondents 1 and 2, instead of considering the case of petitioner who is more qualified than respondent No.3, have ignored the case of the petitioner and selected and appointed respondent No.3 as Anganwadi Worker, vide proceedings dated 26.10.2000. Challenging the same, the present writ petition is filed.

4. Learned counsel for petitioner submits that the petitioner has passed 10th Class, whereas, respondent No.3 has not passed

10th Class, but failed. By virtue of passing the 10th Class, the petitioner is more meritorious than respondent No.3, therefore, the appointment of respondent No.3 is liable to be set aside.

5. The learned Government Pleader appearing for respondents has contended that as per the Notification, one must study upto 10th Class. Since respondent No.3 has also studied upto 10th Class, she is also qualified to be appointed for the post of Anganwadi Worker and the Mothers' Committee have selected respondent No.3. Therefore, no illegality is committed by the official respondents in appointing respondent No.3.

6. This Court, having considered the rival contentions of the parties, is of the considered view that respondents 1 and 2 have rightly selected respondent No.3 as Anganwadi Worker as per the recommendations of the Mothers' Committee.

7. In view of above, there are no merits in the writ petition and it is accordingly dismissed. No order as to costs.

Pending miscellaneous applications, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

13th November, 2018

ajr