



WEB COPY

W.P.(MD) No.22346 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.10.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.22346 of 2019

and

W.M.P (MD) .No.19112 of 2019

R.Usha Devi

... Petitioner

-Vs-

1.The Director

Department of Public Health and Preventive
Medicine
Chennai 600 006

2.The Project Director /Director

Integrated Child Development Scheme (ICDS)
Tharamani
Chennai 600 013

3.The District Project Officer

Tirunelveli
Tirunelveli District

4.The Project Officer

Integrated Child Development Scheme (ICDS)
Tirunelveli
Tirunelveli District

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to permit the petitioner to participate in the Auxiliary Nursing Midwife (ANM) counselling scheduled from 19.10.2019 to 22.10.2019 or any other date enabling the petitioner to participate in the Auxiliary Nursing Midwife (ANM) training course for the year 2019-2021.

For Petitioner : Mr.R.J.Karthick

For Respondents : Mr.V.R.Shanmuganathan

Special Government Pleader



ORDER

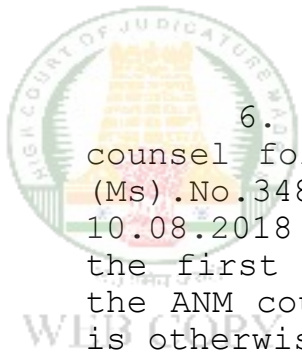
The writ petition has been filed for a direction to the respondents to permit the petitioner to participate in the Auxiliary Nursing Midwife (ANM) counselling scheduled from 19.10.2019 to 22.10.2019 or any other date enabling the petitioner to participate in the Auxiliary Nursing Midwife (ANM) training course for the year 2019 -2021.

2.Mr.V.R.Shanmuganathan, learned Special Government Pleader takes notice for the respondents. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3.The petitioner was appointed as Angawadi Worker by an order of the District Collector, Tirunelveli District, dated 27.04.2007. The Government, by G.O.(Ms).No.348, Health and Family Welfare (N1) Department, dated 10.08.2018, requested the second respondent to send the willing and eligible candidates from ICDS to undergo ANM (Auxiliary Nursing Midwife) training with the minimum age limit of 17 years and maximum age limit of 38 years as on 31.12.2019. Thereafter, the Secretary, Indian Nursing Council, New Delhi, had given a clarification by his letter, dated 16.08.2019, indicating that the upper age limit for selection of candidates from Anganwadi workers etc., for admission to ANM Training Course in Government ANM Training Schools, has been relaxed from 35 years to 42 years. In view of the above, the first respondent by his proceedings, dated 13.09.2019, requested the second respondent to send the list of eligible candidates with age criteria of 17 to 42 years. The said letter was also communicated to every block in Tamil Nadu. The petitioner's date of birth is 21.05.1983 and she is qualified for ANM training for the year 2019 -2021. Hence, she submitted her willingness by a proforma, dated 19.09.2019 to the 4th respondent.

4.While so, the first respondent issued a list of Anganwadi Workers to attend the ANM counselling to be scheduled from 19.10.2019 to 22.10.2019. The grievance of the petitioner is that her name has been omitted in the list of Anganwadi Workers. Hence, the petitioner has come up with the present Writ petition.

5.The learned counsel appearing for the petitioner submitted that ANM (Auxiliary Nursing Midwife) counselling was postponed to 25.10.2019, 29.10.2019 and 30.10.2019. Hence, he prayed to permit the petitioner to participate in the Auxiliary Nursing Midwife (ANM) counselling.



6. Considering the rival submission made by the learned counsel for the petitioner and in view of the order passed in G.O (Ms).No.348, Health and Family Welfare (N1) Department, dated 10.08.2018 and the order of the first respondent, dated 13.09.2019, the first respondent is directed to send the petitioner to attend the ANM counselling in any one of the above mentioned dates, if she is otherwise eligible.

7. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Director

Department of Public Health and Preventive
Medicine

Chennai 600 006

2. The Project Director / Director

Integrated Child Development Scheme (ICDS)

Tharamani

Chennai 600 013

3. The District Project Officer

Tirunelveli

Tirunelveli District

4. The Project Officer

Integrated Child Development Scheme (ICDS)

Tirunelveli

Tirunelveli District

+1 CC to M/s.R.J.KARTHICK, Advocate (SR-93775[F] dated 23/10/2019)

+1 CC to M/s.GP (SR-94055[F] dated 23/10/2019)

W.P. (MD) No.22346 of 2019

22.10.2019

_KK/SAR/23.10.2019/3P-7C/