

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 07.06.2019

CORAM:

THE HONOURABLE **MR. JUSTICE S.M.SUBRAMANIAM****W.P. (MD) No.8372 of 2011**

K.Meena

... Petitioner

Vs.

1.The District Collector,
Dindigul District,
Dindigul

2.The Project Officer,
Integrated Child Development Scheme,
Nilakottai,
Dindigul Dt.

3.Mrs.Vijaya

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order of the first respondent in br.K.e.f.vz;.3603/m1/2009 dated 23.03.2011 and quash the same and consequently, directing the respondents 1 and 2 to appoint the petitioner as Anganwadi Assistant.

For Petitioner	: Mr.C.Jeganathan
For R1 and R2	: Mr.K.Mu.Muthu Additional Government Pleader
For R3	: No appearance

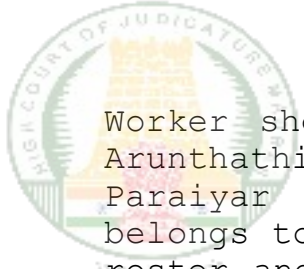
ORDER

The appointment of the third respondent to the post of Anganwadi Worker, is under challenge in the present writ petition.

2.The main ground raised in the writ petition is that the writ petitioner is residing in the same village and the third respondent is native of some other village, which is situated beyond 30 Kms.

3.The learned counsel for the writ petitioner states that when the writ petitioner was fully qualified and also residing in the same village, the writ petitioner ought to have been appointed as Anganwadi Worker in S.Vadi Centre.

4.The Counter affidavit filed by the second respondent states that the petitioner appeared for interview for the appointment to the post of Anganwadi Worker in S.Vadi Centre. In that Anganwadi Centre, as per the Roster/details, the above said post of Anganwadi



Worker should be granted only to Schedule Caste, who belongs to Arunthathiyar Community. The petitioner belongs to Schedule Caste Paraiyar Community, but, the third respondent namely, Vijaya belongs to Schedule Caste Arunthathiyar Community. Thus, as per the roster and as per rules of the Government, the third respondent is only eligible candidate for the appointment to the post of Anganwadi Worker and the petitioner is not at all eligible for appointment to the said post. This apart, the third respondent is also residing within the permissible distance from the Anganwadi Centre and thus, the respondents had scrutinized all these documents and considered the comparative merits of the candidate and issued appointment in favour of the third respondent. This being the factum established, this Court is of the considered opinion that the writ petitioner has failed to establish any acceptable legal grounds for setting aside the appointment issued in favour of the third respondent. Accordingly, this writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar(AD-I)

// True Copy //

Sub Assistant Registrar(CS)

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To

1.The District Collector,
Dindigul District,
Dindigul.

2.The Project Officer,
Integrated Child Development Scheme,
Nilakottai,
Dindigul Dt.

+1CC TO MR.VEERA ASSO., Advocate Sr. No.67912

+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 67580

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GKG(CO)

TR (09.07.2019) 2P 5C