

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.01.2020

CORAM:

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

W.P.NO.29452 of 2019

and

W.M.P. No.29288 of 2019

R. Rekha

... Petitioner

-Vs-

1. The District Collector,  
Villupuram 605 602  
Villupuram District.

2. The District Project Officer,  
Integrated Child Development Services,  
Villupuram District,  
Villupuram Taluk & District.

3. The Project Officer,  
Integrated Child Development Services,  
Olakkur Panchayat, Tindivanam Taluk,  
Villupuram District.

4. M. Manonmani

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ, direction or order in the nature of Writ of Declaration declaring that appointment order issued by the second respondent dated 20.09.2019 in favour of the fourth respondent as null and void and consequently to appoint the petitioner as employee of Kattupunchai Anganwadi, Kattupunchai Village, Tindivanam taluk in the fourth respondent's place.

For Petitioner : Mr. S. Srinath

For Respondents: Mr. P.S. Siva Shanmuga Sundaram

1 to 3 Special Government Pleader.

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ORDER

This Writ Petition has been filed challenging the appointment of the fourth respondent as an employee of Anganwadi.

2. The case of the petitioner is that a notification was issued by the respondent to fill up the post of Anganwadi employee and the petitioner applied for the said post on 30.01.2019 with the third respondent. According to the

petitioner, the petitioner has all the qualification as prescribed in G.O. No.163 dated 18.08.2010. According to the petitioner, her application was accepted by the third respondent and an interview letter was also issued to the petitioner and the petitioner attended the interview with all original documents on 22.02.2019. The grievance of the petitioner is that the fourth respondent has been appointed as Anganwadi employee and according to the petitioner, the fourth respondent does not possess the qualification prescribed in the above Government Order and that she belongs to a different village.

3. The fourth respondent has already been appointed and she is working as an Anganwadi employee and therefore, this Court felt that her status need not be disturbed at this point of time. Therefore, the Special Government Pleader was directed to take instructions from the respondents as to whether there is any other vacancy that is available in the nearby village. The learned Special Government Pleader, on written instructions, submitted that there is a vacancy available in Keezhpooderi Division, which is situated at Villupuram District and the vacancy was caused due to the transfer of the incumbent on 01.09.2019. The learned Special Government Pleader submitted that the petitioner can make a representation to the third respondent and the third respondent, on being satisfied that the petitioner possesses necessary qualifications, will be considered the petitioner for appointment in the vacancy.

4. In view of the above, this Court is not inclined to go into the merits of this Writ Petition and this Court is not inclined to disturb the appointment of the fourth respondent at this stage. The petitioner is directed to make a representation to the first respondent seeking for appointment as Anganwadi employee at Keezhpooderi center. The first respondent, on receipt of the representation, is directed to collect necessary particulars from the second and third respondents and if the petitioner satisfies the requirements to be considered for appointment, necessary orders shall be passed within a period of six weeks from the date of receipt of a copy of the representation from the petitioner.

5. This Writ Petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

bga

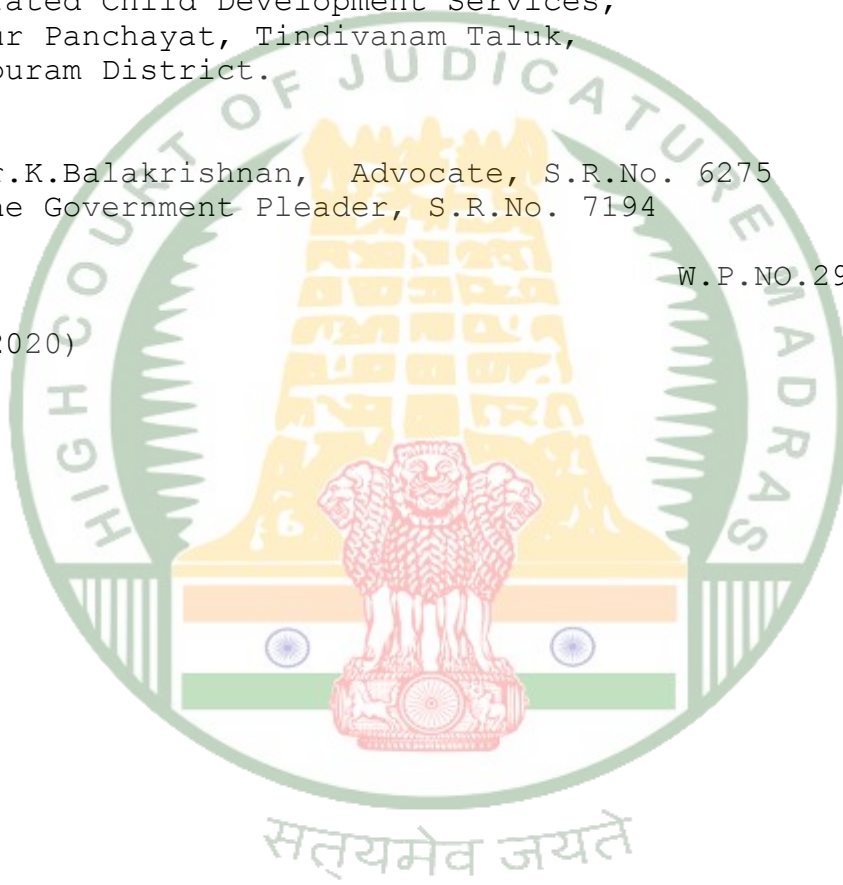
To

1. The District Collector,  
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Villupuram District.
2. The District Project Officer,  
Integrated Child Development Services,  
Villupuram District,  
Villupuram Taluk & District.
3. The Project Officer,  
Integrated Child Development Services,  
Olakkur Panchayat, Tindivanam Taluk,  
Villupuram District.

+lcc to Mr.K.Balakrishnan, Advocate, S.R.No. 6275  
+lcc to the Government Pleader, S.R.No. 7194

W.P.NO.29452 of 2020

NMI (CO)  
GN(04/03/2020)



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