



WEB COPY

W.P.(MD).No.2634 of 2013

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.(MD).No.2634 of 2013

and

M.P.(MD)Nos.1 and 2 of 2013

R.Selvarani

... Petitioner

-Vs-

1.The District Collector,
Dindigul District, Dindigul.

2.The District Project Officer,
Anganvadi Centre,
Dindigul.

3.The Project Officer,
Child Development Project Office,
Thoppampatti,
Palani Taluk,
Dindigul District.

4.Mariathal

5.Chitra

6.Amaravathy

7.Nithya

8.Annapoorani

9.D.Rajeswari

10.Muthulakshmi

... Respondents

[R5 to R10 impleaded as per order dated 24.09.2013 in
M.P(MD)No.3 of 2013]

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the first respondent in his proceedings Se.Mu.Na.Ka.No.1310/A1/12, dated 30.08.2012 and quash the same as illegal, consequently directing the first respondent to appoint the petitioner in the post of Anganvadi Assistant in Manoor Anganvadi Centre.

For Petitioner : Mr.T.Leninkumar

For Respondents : Mr.P.Mahendran
Additional Government Pleader
(for R1 to R3)

Mr.P.Athimoolapandian (for R4 to R10)



ORDER

The relief sought for in the present writ petition is to quash the order, dated 30.08.2012 issued by the District Collector appointing the fourth respondent as Anganvadi Assistant.

2.The petitioner states that she is a destitute widow and the Tahsildar, Palani issued a certificate to that effect. She studied only upto 6th standard and after the demise of her husband, she was in penurious circumstances. The petitioner states that she is working as coolie and maintaining herself and her children. She belongs to Manoor Village and submitted an application for selection to the post of Anganvadi Assistant in Manoor Anganvadi Centre. The petitioner participated in the interview held on 08.08.2012 and the respondents have not selected the writ petitioner for appointment. The contentions of the writ petitioner is that she had submitted all the documents and she is coming under the category of destitute widow and therefore, she must be appointed in the post of Anganvadi Assistant. The claim of the writ petitioner is that as per the Government Order, the post is to be allotted to the destitute widow.

3.The counter filed by the third respondent reveals that the selection committee for all the Districts except Chennai as per G.O.No.110, dated 14.05.2012, had conducted the interview. The selection committee consists of the District Programme Officer, Deputy Director (Health Services) and the Child Development Project Officer (Concerned). The petitioner appeared for the interview on 08.08.2012. The fourth respondent, Smt.Mariathal was selected and appointed as Anganvadi Assistant. The contention of the third respondent is that during the course of interview, the fourth respondent performed well and accordingly, she was selected.

4.This Court is of the considered opinion that the process of interview conducted and the nature of assessment of eligibility and suitability cannot be questioned before this Court in the absence of any clinching evidence. The process of selection can be questioned only on certain limited grounds. If the petitioner is able to establish the selection is corrupt or the authorities are acted by committing illegality, in the absence of any such specific proof, the Court cannot interfere with the process of selection as well as the assessment of eligibility and suitability made by the Complaint Committee appointed by the Government. In the present case, three officials constituted the committee and the committee conducted the interview and selected the fourth respondent for appointment to the post of Anganvadi Assistant. The fourth respondent was appointed and working for the past seven years.

5.This being the factum, this Court is not inclined to consider the relief as such sought for in the present writ petition.



Thus, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-I)

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/ /2020

Sub Assistant Registrar(CS)

sjj

To

- 1.The District Collector,
Dindigul District, Dindigul.
- 2.The District Project Officer,
Anganvadi Centre,
Dindigul.
- 3.The Project Officer,
Child Development Project Office,
Thoppampatti,
Palani Taluk,
Dindigul District.

+1 CC to SGP (SR-21134[F] dated 04/11/2020)

W.P. (MD) .No.2634 of 2013

03.11.2020

CK(CO)

NR (11/11/2020) 3P : 5C