



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WEB COPY

W.P. (MD)No.14315 of 2015
and
M.P (MD) .Nos.1 and 2 of 2015

T.Anjalai

... Petitioner

Vs.

1.The District Collector,
Pudukkottai District,
Pudukkottai.

2.The Commissioner,
Pudukkottai Panchayat Union,
Pudukkottai.

3.J.Neela

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pursuant to the impugned order of the 1st respondent in Na.Ka.V5/817/2015 dated 17.07.2015 in appointing the 3rd respondent as the Anganwadi Helper(Cooking Assistant) and quash the same and further direct the first respondent to appoint the petitioner for the post of Anganwadi Helper(Cooking Assistant) in the noon meal centre at Valecheripatti Panchayat Union Primary School, Pudukkottai Union.

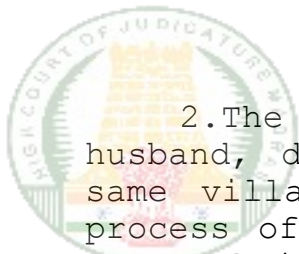
For Petitioner: Mrs.Porkodi Karnan
for M/s.Polax Legal Solution

For R1 : Mr.P.Mahendran
Additional Government Pleader

For R2 : Mr.S.Satheeshkumar

ORDER

The relief sought for in the present writ petition is to quash the appointment of the third respondent as Anganwadi Helper, in proceedings, dated 17.07.2015, and direct the respondents 1 and 2 to appoint the writ petitioner as Anganwadi Helper(Cooking Assistant).



2.The petitioner mainly claims that she is a widow and lost her husband, during the year 2002. The petitioner is residing in the same village within the radius of 3 km and participated in the process of selection. Based on the participation, the petitioner's status being the widow, she must be appointed as Cooking Assistant. Contrarily, the first and the second respondents had appointed the third respondent.

3.Admittedly, the petitioner participated in the process of selection by accepting the condition that there is no separate quota for widow. Even no quota has been prescribed in the recruitment notification, now the petitioner cannot claim that she is entitled for selection on the one ground that she is a widow. The persons, who have participated in the selection, cannot turn around and challenge the terms and conditions stipulated in the recruitment notification. This apart, the petitioner appeared before the Selection Committee and the Selection Committee has selected the third respondent for the post of Cooking Assistant and such a selection made by the competent Committee cannot be questioned by this Court, in the absence of any materials on record. The opinion of the Selection Committee regarding the merits of the candidates cannot be interfered by this Court. The Selection can be interfered on certain limited grounds, when there is an illegality or corrupt practices. In all other circumstances, the decision of the Selection Committee became final and the Courts cannot form an opinion regarding the merits and demerits of the candidates, who have selected and non-selected.

4.This being the principles should be followed and the writ petitioner has not established any acceptable grounds for the purpose of considering the relief as such sought for in the present writ petition. Accordingly, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To

1.The District Collector,
Pudukkottai District,
Pudukkottai.



2.The Commissioner,
Pudukkottai Panchayat Union,
Pudukkottai.

+1cc to Special Government Pleader Sr.No.25767

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and
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CK (CO)
NR (08/01/2020) 3P : 4C