

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.1369 OF 2007

DATED : 24.01.2020

Between :

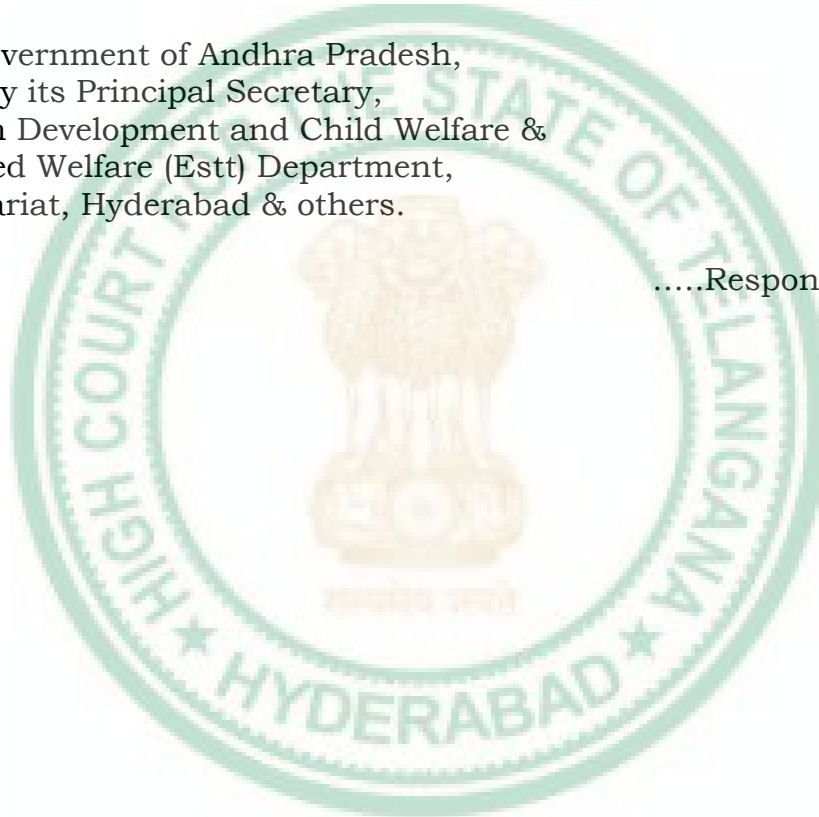
Smt T.Vinoda W/o.Sudhakar,
Aged about 35 yrs, working as
Anganwadi Worker, Sarpanch of
Abbapur Gram Panchayat,
R/o.Abbapur (Village), Dharmaram Mandal,
Karimnagar District.

.....Petitioner

And

The Government of Andhra Pradesh,
Rep., by its Principal Secretary,
Women Development and Child Welfare &
Disabled Welfare (Estt) Department,
Secretariat, Hyderabad & others.

.....Respondents



The Court made the following:

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

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ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Women Development and Child Welfare appearing for the respondents.

2. Petitioner was employed as Anganwadi worker in Anganwadi Center, Abbapur Village of Karimnagar District. In the elections held for the local bodies in the year 2006, petitioner contested to the post of Sarpanch of Abbapur Village and got elected in the said elections. Petitioner was served with Memo dated 01.12.2006, asking her to exercise the option either to retain in the post of Anganwadi worker or to retain in the post of Sarpanch. This writ petition is filed challenging G.O.Ms.No.23 dated 04.08.2001, Memo dated 14.11.2006 and the Memo dated 01.12.2006.

3. Vide G.O.Ms.No.7 dated 07.03.1996, Government enabled the Anganwadi workers also to hold elected post like Sarpanch etc., (Clause ii). By orders in G.O.Ms.No.23 dated 04.08.2001, this clause was deleted. After the elections to the local bodies, the Directorate of Women Development and Child Welfare Department, Hyderabad, issued Memo dated 14.11.2006 directing the Regional Deputy Directors/Project Directors, to take option from the Anganwadi workers who are elected to the local bodies to select either the post of Anganwadi worker or the post to which they were elected in the local body. Consequently, on 01.12.2006, the Child Welfare Project Officer, ICDS Project,

issued the Memo calling upon the petitioner to exercise her option.

4. By order dated 25.01.2007, this Court granted interim suspension of Memo dated 01.12.2006.

5. From the material on record, it appears that petitioner was elected as Sarpanch in the year 2006. The tenure of which has been completed in the year 2011 and in view of the suspension granted by this Court, on the notice issued on 01.12.2006, regarding exercising option, there was no compulsion on the petitioner to exercise her option and petitioner was entitled to hold two posts. Thus, on account of completion of tenure to the post of Sarpanch, the cause in the writ petition does not survive.

6. Accordingly, the Writ Petition is disposed of. However, if petitioner is subsequently elected to public office and if she is holding two assignments, it is always open to the respondent-Government to take appropriate steps, as warranted by law. Pending miscellaneous petitions, if any, shall stand closed.

24th January, 2020
Rds

P.NAVEEN RAO,J