

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.2052 OF 2007

DATED : 24.01.2020

Between :

Smt Jadi Vijaya Bharathi @ Mekala Vijaya Bharathi,
Aged about 34 yrs, Occu : Agriculture Coolie,
R/o.Gudirevu Village, Dandepalli Mandal,
Adilabad District.

.....Petitioner

And

The District Collector & Chairman of Selection Committee,
For Anganwadi Workers,
Adilabad, Adilabad District & others.

.....Respondents



The Court made the following:

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.2052 OF 2007

ORDER:

Heard learned counsel for the petitioner, learned Government Pleader for Women Development and Child Welfare appearing for respondents 1 to 3 and Sri T.V.Rama Rao, learned counsel appearing for respondent No.4.

2. The selection and appointment of 4th respondent as Anganwadi worker is challenged in this writ petition. According to learned counsel for the petitioner, the only ground urged by the petitioner against selection of 4th respondent is that petitioner belong to Scheduled Caste category and according to the scheme evolved by the Government, for selection of persons as Anganwadi workers, preference has to be given to scheduled caste category only. That being so, instead of selecting the petitioner, 4th respondent was selected. Hence, this writ petition.

3. It is not in dispute that the Anganwadi worker vacancy in Gudiveru Village, Dandepalli Mandal, Adilabad District, was not reserved for scheduled caste category candidate. Therefore, all categories of candidates are entitled to compete to the said post. The selected candidate belongs to BC-D category and there is no reservation in favour of scheduled caste category. It can not be claimed as a matter of right to fill up the vacancy by applying the principle of preference. Ordinarily, preference would mean, preference when all things being equal. Admittedly, as stated in paragraph No.6 of the counter affidavit, the 4th respondent secured more marks than the petitioner. As the merit of 4th respondent is higher than the petitioner, the question of giving

preference in selecting the petitioner, instead of more meritorious candidate than the petitioner, does not arise. Therefore, I do not see any error, warranting interference by this Court.

4. Writ Petition is accordingly dismissed. Pending miscellaneous petitions, if any, shall stand closed.

P.NAVEEN RAO,J

24th January, 2020

Rds

