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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.09.2021

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.6374 of 2009

J.Sumathi

... Petitioner

Vs

1. The District Collector,
Vellore District, Vellore.
2. Tmt.A.Ajantha
3. The Project Coordinator,
Integrated Child Welfare Project,
Chennai - 600 113.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Certiorarified Mandamus, to call for the records of the 1st respondent herein relating to Pro.Na.Ka.No.1313/A/2008 dated 25.02.2009, quash the appointment of the 2nd respondent as Anganwadi Assistant, Child Welfare Centre, Konavattam and issue consequential directions to the 1st and 3rd respondent to appoint the petitioner in the said post/station.

For Petitioner : Mr.D.Baskar

For Respondents : Mr.S.John J.Raja Singh,
Government Advocate - R1 and R3
No appearance - R2

O R D E R

The petitioner has challenged the order of appointment of the second respondent/private respondent as an Anganwadi Assistant, Child Welfare Centre at Konavattam Village and seeks



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a consequential direction to first and third respondents, being The District Collector, Vellore District, Vellore and the Project Coordinator, Integrated Child Welfare Project respectively to appoint the petitioner in the said post.

2. The main quarrel advanced by the petitioner is that she is a resident of Konavattam Village where the Anganwadi Centre is situated, whereas the private respondent is not, according to her. This, she would state, would affect the smooth functioning of the school and the interests of the children. The allegation levelled as against R2 is that R2 has given a false address as though she were a resident of Konavattam Village.

3. The second respondent has filed a counter enclosing a compilation of documents and stating that though she originally hails from Saduperi Village and her parents are also living there, she was married on 14.02.2005 to one Immanuel, who resides in Konavattam Village. Her name has been included in the marital family ration card in 2005 and thus at the time of her appointment in 2009, she was very much a resident of Konavattam Village. She thus puts paid to the allegations levelled as against her and justifies her appointment.

4. The petitioner does not dispute the factual position as set out by R2 in her counter. However, my attention is drawn to the date of income certificate, which is annexed to the compilation of documents filed by R2, pointing out that the same is dated 19.06.2009 after the date of interview. The income certificate has no relevance in the matter and the only ground agitated by the petitioner is in relation to the place of residence of R2, which has now been established to be Konavattam Village itself where the Anganwadi Centre is located. The petitioner cannot seek to draw benefit of a document which R2 has filed in the compilation of documents, which is not material to determine the veracity or otherwise of the appointment of R2 as Anganwadi Assistant.

5. This Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar



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To

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1. The District Collector,
Vellore District, Vellore.
2. The Project Coordinator,
Integrated Child Welfare Project,
Chennai - 600 113.

+1cc to the Government Pleader, S.R.No.46492

W.P.No.6374 of 2009

PCH(CO)
SB(27/09/2021)