



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.02.2021

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

AND

THE HONOURABLE MRS.JUSTICE S.KANNAMMAL

W.A(MD)No.650 of 2012

and

M.P(MD)Nos.1 and 2 of 2012

WEB COPY

P.Thilagam

... Appellant/Petitioner

Vs.

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Project Officer(ICDS),
District Project Office,
Anganvadi Centers,
Near Railway Over Bridge,
Virudhunagar - Aruppukkottai Road,
Virudhunagar,
Virudhunagar District.

3.The Child Development Project Officer,
Child Development Project Office,
Sevalpatti,
Kariyapatti Taluk,
Virudhunagar District.

... Respondents/Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 03.08.2012 passed in W.P(MD)No.10886 of 2012.

Prayer in WP(MD). 10886 of 2012 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorari, calling for the records pertaining to Se. Mu.Na.Ka.No.1227/A1/2012 dated 17.07.2012 passed by the first respondent and quash the same and consequently direct the respondent and quash the same and consequently direct the respondents to permit the petitioner to join duty as Anganvadi worker of Anganvadi Centre, situated at Ceylon Colony, Kariyappatti Taluk, Virudhunagar District.



For Appellant : Mr.R.Murugappan
For Respondents : Mr.M.Murugan,
Government Advocate

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JUDGMENT

**(Judgment of the Court was delivered by
PUSHPA SATHYANARAYANA,J.)**

The writ appeal is directed against the order dated 03.08.2012 passed in W.P(MD)No.10886 of 2012.

2. The unsuccessful writ petitioner is the appellant herein. The appellant had applied for the Post of 'Anganvadi Worker', which was called for in G.O.Ms.No.72 Social Welfare and Nutritious Meal Programme Department, dated 30.04.2012.

3. As per the said G.O., the applicant should have completed 25 years and not completed 35 years as on 01.05.2012. The writ appellant was born on 07.03.1977 and she had applied for the Post of 'Anganvadi Worker' and she was also appointed on 27.06.2012. Later, it was verified and found that she was over aged on the date of appointment. Hence, relieving order was issued on 07.06.2012, which is under challenge.

4. No doubt, there is a clause in the above said Government Order, which gives five years extension, which is applicable only to destitutes and widows and that is not applicable to the writ appellant. According to the writ appellant, it is only a mistake by the Certificate Verifying Authorities, who had selected the appellant as a successful candidate and thereafter, within a month, the said mistake was found out and based on which, she was terminated from service. Therefore, there is no infirmity in the order passed by the authority as has been confirmed by the learned Single Judge. The writ appellant is unable to demonstrate as to how she is eligible for appointment and is unable to convince this Court on any other ground, also to sustain the appointment.

5. In view of the above, there is no reason to interfere with the order of the learned Single Judge, the same is confirmed and the writ appeal is dismissed. No Costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (crl side)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



pm

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To:

- 1.The District Collector,
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Virudhunagar.
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+1 CC to SPL GP (SR-3098[F] dated 03/02/2021)

W.A(MD)No.650 of 2012
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VB (22.02.2021) 3P 5C