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W.P.No.7621 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2022

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.7621 of 2018

Mrs.Idhayarani

...Petitioner

Vs.

1.The District Collector,
Thiruvannamalai District,
Thiruvannamalai.

2.Integrated Child Development Project Officer,
O/o.Integrated Child Development Project,
Thiruvannamalai,
Thiruvannamalai.

3.Child Development Project Officer,
O/o.Child Development Project Office,
Polur Circle,
Polur,
Thiruvannamalai District.

4.Mrs.Selvi

..Respondents

Prayer : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, directing to call for the records of the 1st respondent in respect of appointment of the 4th respondent as Anganwadi worker at Padavedu Colony main Anganwadi Centre,



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Thiruvannamalai District and quash the same and consequently direct the 1st respondent to appoint the petitioner as Anganwadi worker at Padavedu Colony main Anganwadi Centre, Thiruvannamalai District.

For Petitioner : Mr.J.Arunprasad

For R1 to R3 : Mr.V.Arun
Additional Advocate General
Assisted by
Mrs.S.Mythreyechandru
Special Government Pleader

For R4 : No appearance

ORDER

The appointment of the 4th respondent as Anganwadi worker at Padavedu Colony Main Anganwadi Centre, Thiruvannamalai District is under challenge in the present writ petition.

2. The Petitioner states that she had participated in the process of selection for appointment to the post of Anganwadi Worker at Padavedu Colony Main Anganwadi Centre, Thiruvannamalai District and submitted all the documents before the Selection Committee at the time of interview. The petitioner states that she is fully qualified for appointment. However, the 4th respondent, who is not eligible for appointment was appointed in violation of



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the Government guidelines in G.O.Ms.No.110, dated 14.05.2012.

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3. The petitioner has raised the main ground that the 4th respondent belongs to SC-Arunthathiyar community and the petitioner belongs to Scheduled Caste (SC) community. The centre was allotted for appointment to Scheduled Caste (SC) community candidate and therefore, the 4th respondent, who belongs to SC-Arunthathiyar community cannot be appointed, which is in violation of the Government guidelines issued.

4. The learned Additional Advocate General appearing on behalf of the respondents 1 to 3 furnished the copy of the documents, which would reveal that the petitioner scored 41 marks during the interview and the 4th respondent scored 43 marks, which is higher than that of the petitioner.

5. However, the application submitted by the 4th respondent reveals that she belongs to SC-Arunthathiyar community. The application states that the petitioner belongs to Scheduled Caste (SC) community and notification issued by the competent authorities states that the Centre at Padavedu Colony Main Anganwadi Centre was allotted for selection and appointment



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to Scheduled Caste (SC) (Non-priority).

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6. Thus, the appointment of the 4th respondent is in violation of the communal rotation made by the Government for selection and appointment. As per the communal roster, the said Centre is to be filled up from amongst the eligible candidates belongs to SC (Non-priority) and thus, the order of appointment is in violation of the Government guidelines issued.

7. Consequently, the appointment of the 4th respondent as Anganwadi Worker at Padavedu Colony Main Anganwadi Centre, Thiruvannamalai District is declared as null and void and consequently the 4th respondent is to be relieved from service, after making an alternate arrangement to take care of the Centre. The respondents 1 to 3 are directed to conduct a fresh selection by following the procedures as contemplated as expeditiously as possible.



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8. With this direction, the writ petition stands allowed. No costs.

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Index : Yes

Speaking order: Yes

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S.M.SUBRAMANIAM, J.

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