



WEB COPY



W.P.No.6428 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2022

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.6428 of 2019

Mrs.E.Akila

... Petitioner

Vs.

1. The State of Tamil Nadu
Rep. by the Secretary to the Government
Health and Family Welfare Department
Secretariat, Chennai - 600 009.
2. The District Collector
Thiruvarur District, Thiruvarur-610 004.
3. The Project Officer
Child Development / Welfare,
Koradacherri, Koradacherri Taluk,
Thiruvarur District - 613 703.
4. S.Bommi

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India to issue a writ of Certiorari, calling for records pertaining to the appointment of Anganwadi workers for Arasavankadu Anganwadi Centre passed by the 2nd respondent dated 12/01/2019 appointing the 4th respondent as Anganwadi Worker in Arasankadu Thiruvarur District and to quash the same as illegal, unconstitutional and contrary to law and consequentially appoint the petitioner in the place of the 4th respondent.



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For Petitioner : Mr.P.Paul Selvam
For Respondents : Mr.V.Arun, AAG, assisted by
Mr.T.Venkatesh Kumar,
Spl.GP [R.1 to R.3]
: No appearance [R.4]

ORDER

The appointment of the fourth respondent, as Anganwadi Worker is under challenge in the present writ petition. The petitioner participated in the process of selection for appointment to the post of Anganwadi worker in Arasavankadu panchayat.

2. The learned counsel for the petitioner states that the petitioner submitted all requisite documents and participated in the interview, conducted by the selection committee. The selection was conducted in an improper manner and the fourth respondent was appointed to the post of Anganwadi worker, in violation of the Government guidelines issued in G.O.Ms.No.110 dated 14.10.2012.



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3. With reference to the conduct of selection, the learned Additional Advocate General furnished a copy of the report of the selection committee who conducted the interview. Nearly 24 candidates participated in the process of selection. Perusal of the report reveals that the interview committee has not awarded any marks to any of the candidates. As per the established procedures, marks are to be awarded on different heads for assessing the candidates who participated in the process of interview. However, the selection committee has not awarded any marks and selected the candidates of their choice, which is impermissible. The selection must be performed in accordance with the established procedures contemplated.

4. Since the procedures contemplated are not recognizable, this Court is of an opinion that the authorities competent are bound to conduct a fresh selection. In view of the facts and circumstances, the order impugned passed by the second respondent in proceeding in Na.Ka.No.1350/A1/2017/ICDS, dated 11.01.2019, is quashed and the respondents 1 to 3 are directed to conduct a fresh selection by following the procedures, as contemplated in the Government Orders, as expeditiously as possible.



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5. Accordingly, the writ petition stands **allowed**. There shall be no order as to costs.

6. The learned counsel for the petitioner states that the petitioner had deposited a sum of Rs.5,000/- with the Registrar of this High Court and thus, the said amount is directed to be returned to the petitioner by following appropriate procedures.

15.11.2022

sha

Internet : Yes
Index : Yes
Speaking order

To,

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Rep. by the Secretary to the Government
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S.M.SUBRAMANIAM, J.

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