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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10-06-2022

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

WP No.10335 of 2014

And

MP No.1 of 2014

M.Nalini

.. Petitioner

vs.

1.The District Collector,  
Krishnagiri District,  
Krishnagiri.

2.The Child Development Scheme Officer (General),  
Integrated Child Development Scheme (ICDS),  
Child Development Scheme Office,  
Mohan Rao Colony,  
First Cross Street,  
Krishnagiri - 635 001.

..Respondents

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings of the second respondent in his office Ref.Na.Ka.No.1191/Aa1/2011, dated 28.02.2013, quash the same and direct the respondents to appoint the petitione as 'Anganvadi Worker' at Kittampatti-2, Krishnagiri Taluk and District.

For Petitioner : Mr.P.Mani

For Respondents : Ms.S.Anitha,  
Special Government Pleader.

O R D E R

The order impugned dated 28.02.2013, declining the claim of the writ petitioner to join duty in the post of 'Anganvadi Worker', is under challenge in the present writ petition.

2. The writ petitioner participated in the process of selection for appointment to the post of Anganvadi Worker at Kittampatti-2, Krishnagiri Taluk on 06.08.2012. The petitioner



3. The petitioner states that the second respondent appointed the petitioner as Anganvadi worker on 17.09.2012. However, the writ petitioner had not received the order of appointment during the relevant point of time.

5. As per the order of appointment, the petitioner ought to have joined duty within the period of 15 days. The petitioner states that the order of appointment had not been served to her.

7. The petitioner could not establish that the order of appointment had not been served to her by the second respondent. However, the respondents have stated that they have attempted to serve the copy of the appointment order in person and they failed in view of the fact that the petitioner was not available at that point of time. Such factors cannot be ascertained now after a lapse of eight years. There is no material evidence on record to establish that the order of appointment had not been served to the petitioner. Even in case, if it has not been served to the petitioner during the relevant point of time, the petitioner being a candidate who participated in the process of selection, ought to have approached the authorities within a



reasonable period of time. Contrarily, the petitioner had waited for more than three months and thereafter, submitted a complaint through the helpline by contacting the respondents in their office.

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8. Under these circumstances, this Court cannot form a final opinion with reference to such disputed facts, which all are to be adjudicated with reference to the documents and evidences. The petitioner has not produced any such documents to establish her case and therefore, at this length of time, this Court is not inclined to grant the relief of appointment and in the event of granting any such relief of appointment at this length of time, the same will set a wrong precedent. Therefore, the writ petition stands dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

Svn

To

1.The District Collector,  
Krishnagiri District,  
Krishnagiri.

2.The Child Development Scheme Officer (General),  
Integrated Child Development Scheme (ICDS),  
Child Development Scheme Office,  
Mohan Rao Colony,  
First Cross Street,  
Krishnagiri - 635 001.

+lcc to Mr.P.Mani, Advocate, S.R.No.34101

+lcc to the Government Pleader, S.R.No.34532, 34855

WP 10335 of 2014

AJB(CO)  
SB(20/06/2022)