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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.03.2022

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. NO. 30563 OF 2017

AND

W.M.P. NO. 33467 OF 2017

C.Adilakshmi

... Petitioner

-vs-

1. The District Collector
Collectorate of Dharmapuri
Dharmapuri
Dharmapuri District.
2. The Child Development Scheme Officer
O/o. Integrated Child & Development Scheme
Block Development Office Campus
Harur Taluk
Dharmapuri District.

... Respondents

Prayer:-

Writ Petitions filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the District Collector, Dharmapuri, Dharmapuri district /the First Respondent herein to appoint the Petitioner as the Anganwadi Worker' at Sangilivadi Village, Anganwadi Centre situated at Harur Taluk, Dharmapuri District on the basis of the Petitioner's representation dated 13.11.2017.

For Petitioner : Mrs. Renuka
For Mr. Dalit Tiger C. Ponnusamy

For Respondents: Mr. P.Gurunathan
Additional Government Pleader

O R D E R

Heard Mrs. Renuka, Learned Counsel for the Petitioner and Mr. P.Gurunathan, Learned Additional Government Pleader appearing for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.



2. The Writ Petition has been filed for directing the First Respondent to appoint the Petitioner as Anganwadi Worker in Anganvadi Centre, Sangilivadi Village, Harur Taluk, Dharmapuri District in furtherance to the representation dated 13.11.2017 made by her.

3. Learned Additional Government Pleader referring to the Counter-Affidavit filed by the Second Respondent highlights that in terms of clause 2.8 of G.O. (Ms) No. 110, Social Welfare and Nutritious Meal Programme (SW7) Department dated 14.05.2012 based upon which the selection was made, it is only when candidates residing within the same hamlet are not available, selection of candidates from neighbouring Panchayats within a radius of ten kilometers could be made and the decision of the Division Bench of this Court in K.Lakshmi -vs- District Collector, Cuddalore (Order dated 31.07.2017 in W.A. No. 2728 of 2012) has been cited in that regard. It is stated that the Petitioner resides at a distance of 15 kms away from the Anganwadi Centre where she had sought appointment and it falls outside the Panchayat Union. Further, it is brought to notice that there were other candidates who satisfied the prescribed requirements and had secured higher marks than the Petitioner in the interview. In such circumstances, the question of requiring the Respondents to consider the representation of the Petitioner for appointing her to the post does not arise and no further orders are required in the Writ Petition.

In fine, the Writ Petition is dismissed. Consequently, the connected Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector
Collectorate of Dharmapuri
Dharmapuri
Dharmapuri District.



2. The Child Development Scheme Officer
O/o. Integrated Child & Development Scheme
Block Development Office Campus
Harur Taluk
Dharmapuri District.

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+1cc to the Government Pleader, S.R.No.14599

W.P. No. 30563 of 2017

RR(CO)
PM/12/05/2022