



WEB COPY



W.P.No.33573 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2022

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.33573 of 2017
and WMP Nos. 37100 and 37101 of 2017

Tmt.M.Mythili

... Petitioner

Vs

1. Director,
Integrated Child Development Services,
Tharamani, Chennai-600 113.

2. The District Collector,
Namakkal District, Namakkal.

3. District Programmer Officer,
Namakkal, Namakkal District.

4. Tmt.M.Thamaraiselvi

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records relating to the proceedings in Na.Ka.No.1018/A1/2017 dated 14.09.2017 passed by the 2nd respondent and quash the order appointing the 4th respondent and direct the 2nd respondent to appoint the petitioner as Anganwadi Worker in Mangalam Natham Medu Centre, Mallasamuthirm Block or Shappayapuram Anganwadi Centre, Thiruchengode Taluk, Namakkal District, by considering the representation dated 23.09.2017 made by the petitioner.



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For petitioner ... Mr.D.Sreenivasan
For Respondents ... Mr.V.Arun
Addl.Advocate General
Assisted by
Mr.T.M.Rajangam
Govt.Advocate
For R.1 to R.3
No appearance – R.4

ORDER

The petitioner herein is an unsuccessful candidate for the post of Anganwadi Worker at Mangalam (Nathamedu) Center, which is situated at Mangalam Village Panchayat. The ground on which the petitioner challenged the appointment of the fourth respondent is that the petitioner's residence is closer to that of the fourth respondent's residence.

2. The learned Additional Advocate General placed reliance on the counter affidavit and stated that the fourth respondent is residing at Chenbagamadievi Village Panchayat, which is next “village Panchayat” from the center at a distance of 4 kms away from the center, whereas the petitioner herein is residing at Mallasamuthiram Town Panchayat which is about 6 kms.

3. Since G.O.(Ms)No.110 Social Welfare and Nutritious Meal Programme (SW7) Department, dated 14.05.2012, prescribes the requirement of the residence of the candidate, as per which, the applicant should be a resident of the same



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hamlet. If no eligible/suitable candidate from the same hamlet is available, candidates from the neighbouring hamlets of the same panchayat of the particular center shall be considered. Even then, if eligible/suitable candidates are not available, candidates from the neighbouring panchayats located within 10 kms shall be considered for the appointment of Anganwadi Worker.

4. Since the petitioner herein is residing in a Town Panchayat, which is about 6 kms from the Center and the fourth respondent is residing in a neighbouring village panchayat, which is 4 kms away from the center, the appointment made in favour of the fourth respondent cannot be found fault with.

5. As such, there is no merit in the writ petition. Accordingly, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

20.12.2022

Index: Yes/ No
Speaking Order/Non-speaking Order
SR



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M.S.RAMESH,J.,

sr

To

1. Director,
Integrated Child Development Services,
Tharamani, Chennai-600 113.
2. The District Collector,
Namakkal District, Namakkal.
3. District Programmer Officer,
Namakkal, Namakkal District.

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