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W.P. No. 34121 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2022

CORAM

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

W.P. No. 34121 of 2017

and

W.M.P. Nos. 37874 and 37876 of 2017

C.Ranjitha

... Petitioner

-VS-

1. The District Collector,
Villupuram District,
Villupuram.

2. The Child Development Program Officer,
Kaanai Block,
Villupuram taluk,
Villupuram District.

3. R.Janani

... Respondents

Prayer:- Writ Petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records of the First Respondent regarding the proceedings in Se. Mu. Na. Ka. No. 1958/A1/2017 dated 14.12.2017 by appointing the Third Respondent as an Anganvadi Worker at Konur Center in Kaanai Block, Villupuram Taluk and Villupuram District and quash the same and further direct the First Respondent to appoint the Petitioner as the Anganvadi Worker at Konur Center in Kaanai Block, Villupuram Taluk and Villupuram District.



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For Petitioner : Mr. A.E Kalaiselvan

For Respondents : Mr.V.Arun
Additional Advocate General assisted by
: Mr. P.Balathandayutham,
Special Government Pleader
(for R1 & R2)

: Mr. V.Jayaprakash Narayanan (for R3)

ORDER

Heard Mr. A.E.Kalaiselvan, Learned Counsel for the Petitioner, Mr. V.Arun, Additional Advocate General assisted by Mr. P.Balathandayutham, Learned Special Government Pleader appearing for the First and Second Respondents and Mr. V.Jayaprakash Narayanan, Learned Counsel appearing for the Third Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The Petitioner had applied for the post of Anganwadi Worker in Konur Centre in Kaanai Block, Villupuram Taluk and District and the Third Respondent had been selected to that post, which has been challenged by the Petitioner in this Writ Petition.



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3. The primordial contention raised by the Petitioner is that as per the requirements in the notification dated 14.12.2017 in Na.Ka.No.1958/A1/2017 issued by the First Respondent, the applicant should have been of atleast 25 years of age on 01.07.2017, but the Third Respondent, who was born on 09.07.1992, had not completed 25 years of age on the said date.

4. It has been brought to notice by Learned Additional Advocate General appearing for the First and Second Respondents that after the filing of the Writ Petition, the Second Respondent by Order dated 05.01.2018 in Na.Ka. No. 455 /2017 has cancelled the appointment of the Third Respondent and one S.Lakshmi has been given additional charge as Anganwadi Worker in the Anganwadi Centre, but regular appointment has not been made in that post. In such circumstances, it is incumbent upon the concerned authorities to examine as to whether any other candidates (including the Petitioner), who were eligible and had made the application pursuant to the notification dated 14.12.2017 in Na.Ka.No.1958/A1/2017 could be appointed in the place of the Third Respondent and if none of them is found eligible, fresh selection to the post shall be made following the prescribed procedure in accordance with law and complete such exercise by 31.12.2022 and file report of compliance before the Registrar (Judicial) of the Court. In order to avert any disruption of the



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functioning of the Anganwadi Centre, the concerned authorities shall make necessary arrangements and are not precluded from continuing the services of the said S.Lakshmi till the regular appointment is made to that post.

In fine, the Writ Petition is ordered on the aforesaid terms. Consequently, the connected Miscellaneous Petitions are closed. No costs.

21.06.2022

Maya

Index: Yes/No

Note: Issue order copy by 27.10.2022

To

1. The District Collector,
Villupuram District,
Villupuram.
2. The Child Development Program Officer,
Kaanai Block,
Villupuram taluk,
Villupuram District.

Copy to

The Registrar (Judicial),
Madras High Court,
Chennai – 600 104.



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P.D. AUDIKESAVALU, J.

Maya

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