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W.P.No.27946 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.27946 of 2017

and

W.M.P.Nos.29988 & 29989 of 2017

K.Jayajakshmi

... Petitioner

Vs.

- 1.The State of Tamil Nadu
Rep by the Secretary to Government
Department of Noon Meal and Social Welfare
Fort St. George
Chennai – 600 009.
- 2.The District Collector
Vellore
Vellore District.
- 3.The Tahsildar
Arakkonam,
Vellore District.
- 4.The District Program Officer
Integrated Child Development Program Office
Sainathpuram
Vellore
Vellore District.



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5.The Child Development Program Officer
Integrated Child Development Program Office
V.P.Kovil Street, Palanipet
Arakkonam
Vellore District.

6.Jagathiswari

7.Barathi

8.The Director
Integrated Child Development Programme Office
Taramani
Chennai – 113.

9.Mr.S.A.Raman
District Collector
Vellore
Vellore District.

10.Mr.S.Bagyarajan
District Program Officer
Integrated Child Development Program Office
Sainathpuram
Vellore
Vellore District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the entire records relating to the impugned appointment order in Se.Mu.Na.Ka.No.Nil 2017 dated 28.09.2017 issued by the 4th respondent herein in favour of the 7th respondent herein and quash the same and directing the 2nd respondent herein



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to appoint the petitioner herein as Anganwadi helper for the Integrated Child Development Centre at Mulvoi, Mulvoi Village, Arakkonam Taluk, Vellore District.

For Petitioner : Mr.S.Arun Kumar

For R1 to R5, R8 to R10 : Mr.V.Arun
Additional Advocate General
Assisted by Mr.S.Rajesh
Government Advocate

For R6 & R7 : No Appearance

ORDER

The appointment of the 7th respondent as Anganwadi Assistant at Integrated Child Development Centre at Mulvoi, Mulvoi Village, Arakkonam Taluk, Vellore District is under challenge in the present writ petition.

2. The petitioner participated in the process of selection for appointment to the post of Anganwadi Assistant. The petitioner states that she had furnished all the requisite documents and participated in the interview conducted by the Selection Committee. However, the 7th respondent, who is not qualified was considered and selected. Thus, the petitioner is constrained to move the present writ petition.



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3. The petitioner states that she studied 7th standard and fully qualified for selection and appointment to the post of Anganwadi Helper. However, the 7th respondent, who is lesser qualified was considered and appointed. Pursuant to the interim direction issued by this Court, the official respondents have verified and furnished the marks statement awarded by the Interview Committee. Accordingly, the petitioner Smt.K.Jayalakshmi scored 35 marks and the 7th respondent Smt.G.Barathi scored 38 marks. The 6th respondent scored 20marks. Thus, the 7th respondent was selected and appointed.

4. The marks awarded by the Interview Committee cannot be gone into by the High Court by exercising the powers of judicial review under Article 226 of the Constitution of India, unless the procedure or selection was tainted with the allegations of *mala fides* or malpractices or corrupt activities.

5. In the present case, no such allegations are established and therefore, the selection was made in accordance with the assessment made by the Interview Committee, which became final. Thus, this Court do not find any infirmity in respect of the appointment made in favour of the 7th



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respondent and consequently, the Writ Petition stands dismissed. No costs.

Consequently, connected Miscellaneous Petitions are closed.

08.11.2022

Jeni

Index : Yes

Speaking order

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S.M.SUBRAMANIAM, J.

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