



W.P.No.30038 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2022

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.30038 of 2018
and W.M.P.No.35058 of 2018

Tmt.M.Jothi

... Petitioner

Vs.

1.The District Collector,
of Krishnagiri District,
Krishnagiri.

2.The District Planning Officer,
Krishnagiri,
Krishnagiri District.

3.The Child Development Project Officer,
Child Development Project Office,
Mathur Zone,
Krishnagiri District.

4.R.Vadivukkarasi

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the order in Se.Mu.Na.Ka.No.1285/A1/2017 dated 18.04.2018 issued by the 2nd respondent to quash the same and consequently direct the 2nd respondent to



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appoint the petitioner herein as Anganwadi Worker, at Kizhsanthampatti
Anganwadi Centre, Mathur Zone, Krishnagiri District.

For Petitioner : M/s.A.Pramila for
M/s.E.Kannadasan

For Respondents : Mr.V.Arun
Additional Advocate General

assisted by
Mr.P.Gurunathan
Additional Government Pleader
for R1 to R3

ORDER

The appointment of the 4th respondent as Anganwadi worker in proceedings dated 18.04.2018 is under challenge in the present Writ Petition.

2.The petitioner states that she participated in the process of selection for appointment to the post of Anganwadi worker. She attended the interview and furnished all the requisite documents. However, the 4th respondent who is residing in another village was appointed in violation of the Government guidelines issued in G.O.M.s.No.110, dated 14.05.2012. Thus, the petitioner is constrained to challenge the order of appointment issued in favour of the 4th respondent in an illegal manner.



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3.The petitioner states that the 4th respondent is not qualified for appointment to the post of Anganwadi worker at Kizhsanthampatti Anganwadi Center, since, the 4th respondent does not belong to Kizhsanthampatti village or that locality. The 4th respondent belongs to Chinnapaletthottam village, which is 7 kms away from the Anganwadi Center at Kizhsanthampatti village. The village falls in another panchayat and therefore, the appointment of the 4th respondent is in violation of the Government guidelines issued for appointment to the post of Anganwadi worker.

4.The counter reveals that the verification of records revealed that the 4th respondent is residing in another panchayat and therefore, she is not eligible for appointment to the post of Anganwadi worker.

5.The Government order issued in G.O.Ms.No.110 Social Welfare and Nutritious Meal Department, dated 14.05.2012 prescribes conditions for appointment to the post of Anganwadi worker. Clause 2.8 deals with the residency and states that “The Government direct that the applicant should be the resident of the same hamlet. If no eligible/suitable candidate from the same hamlet is available, the candidates from the neighbouring hamlets of the same



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panchayat of the particular centre shall be considered. Even then, eligible/suitable

candidates are not available the candidates from the neighbouring panchayats

located within 10 Kms. shall be considered for the appointment of Anganwadi

worker.” The petitioner is residing in the next hamlet falling under the same

panchayat. Therefore, the petitioner ought to have been considered for

appointment to the post of Anganwadi worker. Contrarily, the 4th respondent who

is residing in the hamlet from another panchayat has been considered. Even in the

counter, the District Program Officer has stated that the petitioner is the only

person residing immediate to the next village of Kizhsanthampatti, i.e.,

Melsanthampatti which is falling in the Kodmanadapatti village panchayat. It is

further stated that all other candidates who participated in the process of

selection are residing at various places/village and the 4th respondent is residing

Chinnapalethottam which is lying in another village panchayat. Therefore, the

appointment of the 4th respondent as Anganwadi worker is directly in violation of

Clause 2.8 of the Government order issued in G.O.Ms.No.110, dated

14.05.2012. Accordingly, the order impugned passed by the 2nd respondent in

proceedings No.Se.Mu.Na.Ka.No.1285/A1/2017, dated 18.04.2018, is quashed.

The center is now managed by the 4th respondent in the interest of the children

studying in the Anganwadi center. Therefore, the 4th respondent may be relieved



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only after making an alternate arrangement by the competent authority to look after the center, within a period of four weeks from the date of receipt of a copy of this order.

6. Accordingly, this Writ Petition stands allowed. No Costs. Consequently, connected miscellaneous petition is closed.

12.10.2022

Index : Yes
Internet : Yes
Speaking order : Yes
ep/ssr

To

1. The District Collector,
of Krishnagiri District,
Krishnagiri.
2. The District Planning Officer,
Krishnagiri,
Krishnagiri District.
3. The Child Development Project Officer,
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S.M. SUBRAMANIAM, J.

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