



W.P.(MD)No.1413 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.12.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.1413 of 2020

and

W.M.P.(MD)Nos.1136 and 1137 of 2020

P.Vanitha

... Petitioner

Vs.

1. The District Collector,
Office of the District Collector,
Madurai District.

2.The Child Development Scheme Officer,
Chenaai Nagar,
Scheme-1,
Madurai.

3.M.Hameethabegum

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order issued by the 1st respondent herein in Na.Ka.No.1949/2017/A1 dated 03.06.2019 and quash the same and consequently direct the 1st respondent to appoint the petitioner to the post of



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Anganwadi Worker situated at Keelakailasapuram.

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For Petitioner : Mr.J.Vishnu
For Respondents : Mr.S.P.Maharajan
Special Government Pleader
for R1 and R2
No-appearance for R3

ORDER

This Writ Petition has been filed to call for the records pertaining to the impugned order issued by the 1st respondent herein in Na.Ka.No. 1949/2017/A1, dated 03.06.2019, quash the same and direct the 1st respondent to appoint the petitioner to the post of Anganwadi Worker situated at Keelakailasapuram.

2. The case of the petitioner is that the petitioner's father is an Ex-service man and he served in the Indian Army and he was discharged from service on 31.12.1977. A certificate to that effect has been issued by the Department of Ex-Servicemen's Welfare, Madurai. The respondent herein has issued a notification calling for applications for appointment to the post



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of Anganwadi worker. Accordingly, the petitioner submitted an application and she was called for interview on 30.08.2017. However, she was not selected and the 3rd respondent was selected as Anganwadi worker. Challenging the appointment order issued by the first respondent, the present writ petition has been filed.

3. The learned counsel appearing for the petitioner would submit that the petitioner's father is an Ex-Service man and she submitted an application along with the certificate issued by the Department of Ex-Servicemen's Welfare. However, no preference was given to the petitioner and the candidature of the petitioner was simply rejected without assigning any reason. Hence, he prays for allowing the present writ petition.

4. The learned Special Government Pleader appearing for the respondents 1 and 2 would submit that the selection process was conducted in the manner prescribed under the law and as per the guidelines issued by the Government. Though the petitioner claims that she is the daughter of the Ex-Serviceman, no document was produced by her to establish the said fact.



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Hence, she was treated as general category and there is no fault on the part of the respondents 1 and 2.

5. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents 1 and 2.

6. The facts in the present case are not in dispute. The petitioner claims that she is the daughter of the Ex-service man and submitted an application to the post of Anganwadi worker under the Ex-service man quota along with the certificate issued by the Department of Ex-Servicemen's Welfare.

7. In order to verify the said fact, this Court called upon the respondents to produce the original selection files and accordingly, the learned Special Government Pleader has produced the original files. A perusal of the original files reveals that no certificate was annexed along with the application submitted by her except Educational Certificates. However, the petitioner has manipulated in the typed set of papers filed in



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the present writ petition as if the Certificate issued by the Department of Ex-Servicemen's Welfare, Madurai, was annexed along with her application. Suppressing the above fact, the petitioner has filed this writ petition without clean hands. Hence, the prayer sought for by the petitioner in the present writ petition, cannot be granted.

8. Accordingly, this Writ Petition is dismissed. No costs.
Connected miscellaneous petitions are closed.

12.12.2022

Index : Yes / No

Speaking Order : Yes / No

ssb

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M.DHANDAPANI,J.

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