



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:13.04.2022

CORAM:

THE HONOURABLE **MR.JUSTICE S.M.SUBRAMANIAM**

WEB COPY

W.P. (MD)No.13303 of 2019

L.Selvi

... Petitioner

Vs.

1.The Director/Special Commissioner,
Integrated Child Development Services,
Tharamani,
Chennai-13.

2.The District Collector,
Virudhunagar District,
Virudhunagar.

3.The District Project Officer,
Integrated Child Development Services,
Virudhunagar,
Virudhunagar District.

4.The Child Development Project Officer,
Integrated Child Development Services,
Aruppukottai Block, Virudhunagar,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 4th respondent to appoint the petitioner in the post of Anganwadi Worker, Aruppukottai Block, Mathinayakkanpatti Centre, Virudhunagar District, commensurate with the petitioner's qualification, age and residential status.

For Petitioner

: Mr.S.Mahalakshmi

For Respondents

: Mr.M.Ramesh

Government Advocate

ORDER

The relief sought for in the present writ petition is to direct the fourth respondent to appoint the petitioner in the post of Anganwadi Worker.

2.The petitioner states that she participated in the process of selection for appointment to the post of Anganwadi Worker. However, she was not selected.



3.The learned Government Advocate appearing for the respondents made a submission that the process of selection was completed and another person was appointed in the said place and working . Further, the petitioner is over aged and not fulfilled the condition as stipulated in the Government Order. Therefore, the case of the petitioner cannot be considered.

4.The learned counsel appearing for the petitioner made a submission that relaxation of age is to be granted.

5.Relaxation cannot be granted in a routine manner even by the Government. Rules are to be followed in all circumstances. The power of relaxation can be exercised only if there is a course of injustice or otherwise occurred. Therefore, the Court cannot grant relaxation of age in favour of the candidate. It is the policy decision of the employer regarding the prescription of age, qualification etc., Therefore, the Court cannot grant relaxation as far as the age criteria is concerned and therefore, the relief as such sought for in the present writ petition cannot be granted.

6.With the above observations, this Writ Petition stands dismissed. No costs.

Sd/-

Assistant Registrar (W)

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/ /2022

Sub Assistant Registrar(CS)

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To

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Integrated Child Development Services,
Tharamani,
Chennai-13.

2.The District Collector,
Virudhunagar District,
Virudhunagar.

3.The District Project Officer,
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Virudhunagar,
Virudhunagar District.



4.The Child Development Project Officer,
Integrated Child Development Services,
Aruppukottai Block, Virudhunagar,
Virudhunagar District.

+1 CC to M/s.SPL.GP. (SR-18992[F] dated 18/04/2022)

W.P. (MD)No.13303 of 2019
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RD(26.04.2022) 3P 6C