



W.P(MD)No.16126 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.11.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.16126 of 2019

and

W.M.P.(MD)Nos.12816 and 12818 of 2019

S.Kalaivani

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by its Secretary,
Department of Social Welfare,
Fort St.George, Chennai.

2.The District Collector,
Madurai District Collectorate,
Madurai.

3.The Child Development Project Officer,
Thirumangalam Taluk,
Madurai District.

4.K.Kalavathi

... Respondents

*(R4 is impleaded vide order dated 09.11.2022
in W.M.P.(MD)No.15633 of 2019 in
W.P.(MD)No.16126 of 2019 by GRSJ).*

Prayer : Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Mandamus, directing the respondents to
permit the petitioner to serve as Anganwadi worker in Kinnimangalam



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Anganwadi Centre, Kinnimangalam Village, Tirumangalam Taluk, Madurai
District.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mr.J.K.Jayaseelan,
Government Advocate for R1 to R3.
Ms.J.Saranya,
For Mr.N.Sathish Babu for R4.

ORDER

Heard the learned counsel on either side.

2.The case of the petitioner as reiterated by the learned counsel for the writ petitioner is that the petitioner was appointed as Anganwadi Worker in Kinnimangalam Anganwadi Centre, Thirumangalam Taluk and that after she worked in the post for two months, she was prevented from discharging her duties.

3.The stand of the official respondents is that the petitioner was never appointed in the first place and that the petitioner is making a false claim on the basis of an unsigned order that was wrongly uploaded in the web portal.



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4. It is seen that the fourth respondent had earlier filed W.P.(MD)No.14484 of 2019 questioning the authority under which the writ petitioner was holding the post of Anganwadi Worker at Kinnimangalam Anganwadi Centre. The said writ petition was dismissed as not maintainable on 28.06.2019 following the submission of the Government that no person has been appointed to the said post. In the present writ petition also, the very same stand is set out. The post of Anganwadi Worker in Kinnimangalam Anganwadi Centre is reserved for B.C category other than Muslim. The petitioner belongs MBC category. Therefore, *prima facie* the petitioner will not be eligible. More than anything else, the petitioner is unable to produce the original order of appointment signed by the District Collector. Therefore, for these two reasons namely, (a) the earmarking of the petition mentioned post for B.C. category and (b) non-production of the original appointment order, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

15.11.2022

Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

ias

To:-

- 1.The Secretary,
Department of Social Welfare,
Fort St.George, Chennai.
- 2.The District Collector,
Madurai District Collectorate,
Madurai.
- 3.The Child Development Project Officer,
Thirumangalam Taluk,
Madurai District.

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