



W.P.No.511 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE P.B.BALAJI

W.P.No.511 of 2018
and W.M.P.No.607 of 2018

C.Elamathi

...Petitioner

Vs

1.The Director cum Mission Director,
Department of Integrated Child
Development Plan,
Pamma Nallathambi Street,
Taramani,
Chennai – 113.

2.The District Collector,
Villupuram District,
Villupuram.

3.Child Welfare Development Officer,
Child Welfare Development Department,
Thirukovilur Taluk,
Villupuram District.

4.Kuzhanthai Therasa Julian Mary

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, to call for the records pertaining to the 2nd



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respondent issued appointment order to the 4th respondent in the place of Thulampoondi, Centre No.33607150125, Thirukovilur Taluk, Villupuram District in this proceedings in Na.Ka.No.1958/A1/2017 dated 14.12.2017 is illegal and to quash the same.

For Petitioner	: Mr.G.Ranganathan
For Respondents	
For RR1 & 3	: Mr.V.Arun
	Additional Advocate General
	assisted by
	Mr.R.Kumaravel
	Additional Government Pleader
For R4	: Mr.A.T.Anbukumar

ORDER

This petition is filed by the writ petitioner seeking issuance of a Writ of Certiorari to quash the impugned order of appointment of the 4th respondent dated 14.12.2017.

2. The case projected by the writ petitioner is that she is a B.A., graduate and she applied for vacancy in the Anganwadi Centre at Thirukovilur Taluk, Villupuram District on 19.08.2017. However, without considering the petitioner's application favourably, the 4th respondent was



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appointed. According to the petitioner, the petitioner is more qualified than the 4th respondent and moreover, the 4th respondent resides 4 Kms away from the centre which also disqualifies her for being appointed to the said post.

3. The 2nd respondent has filed a counter affidavit stating that the selection process was purely based on qualification, age and residence. The 4th respondent had obtained 8.5 marks and the petitioner secured only 6.5 marks in the interview held on 07.09.2017. The Selection Committee has factored all relevant criteria, before appointing the 4th respondent to the said post. The 2nd respondent has also applied his mind and based on the recommendations of the Selection Committee, appointed the 4th respondent. According to the 2nd respondent there are no irregularities or illegalities in the selection process. The respondent therefore sought for dismissal of the writ petition.

4. Heard the learned counsel for the petitioner and the learned counsel for the respondents and perused the materials available on record.



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5. The learned counsel appearing for the petitioner would submit that the petitioner is a graduate whereas the 4th respondent has only passed SSLC examination and therefore, the appointment of the 4th respondent was improper. Moreover, the 4th respondent resides farther away from the centre than the petitioner. According to the learned counsel for the petitioner the appointment of the 4th respondent was therefore irregular and arbitrary. The petitioner therefore, sought for being allowed the petition.

6. Per contra, Mr.V.Arun, learned Additional Advocate General appearing for the respondents 1 to 3 pointed out that the 4th respondent was not disqualified and the minimum requirement for being considered for the post was to have passed SSLC examination. The procedure of appointment has been transparent and the 4th respondent has appointed only after careful scrutiny and verification, fall relevant material. Therefore, no interference is warranted in the present writ petition.

7. This Court at the outset, would like to notice point out that the



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prayer sought for in the writ petition is only a writ of certiorari to quash the order of appointment of the 4th respondent. The petitioner has not chosen to seek any consequential relief in the nature of seeking the appointment order of the petitioner. Even the petitioner has not made out sufficient grounds for setting aside the order of appointment of the 4th respondent. The 4th respondent cannot be said to be disqualified merely because she has only passed SSLC board examination. The minimum requirement for the appointment of the said post is that the candidate should have passed 10th standard. The 4th respondent therefore, clearly qualifies for being appointed. Moreover, she has also obtained more marks than the writ petitioner in the interview. All these factors have been properly considered by the Selection Committee, before recommending the case of the 4th respondent for appointment and the 2nd respondent has also accepted the recommendations of the Selection Committee and appointed the 4th respondent. Therefore, this is Court unable to see any ground to interfere with the order of appointment of the 4th respondent. Consequently the writ petition fails.

8. Accordingly, the writ petition stands dismissed. There shall be



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no order as to costs. Consequently, connected writ miscellaneous petitions are closed.

14.06.2023

Index:Yes/No

Speaking order/Non-speaking order

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To

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P.B.BALAJI,J.

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