



WEB COPY

W.P.No.4204 of 2018



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 13.09.2023

Coram:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.No.4204 of 2018
& WMP No.5146 of 2018

A.Vimala

... Petitioner

Vs.

1. The District Collector,
Collectorate Buildings,
Tiruvannamalai.
2. The Project Officer,
Tiruvannamalai (Village),
Tiruvannamalai.

.... Respondents

Prayer: PETITION filed under Article 226 of the Constitution of India praying for the issuance of Writ of Certiorarified Mandamus calling for the records of the 1st respondent made in proceedings in Se.Mu.Na.Ka.1892/A1/2017 dated 13.02.2018 and quash the same and consequently direct the 1st respondent to reinstate the petitioner in service with all attendant service, monetary benefits including arrears of salary.

For Petitioner : Mr.N.Umapathi

For Respondents : Mr.T.K.Saravanan
Government Advocate



ORDER

This Writ Petition has been filed in the nature of Certiorarified Mandamus seeking records of the 1st respondent, The District Collector, Thiruvannamalai relating to proceedings dated 13.02.2018 by which the first respondent had terminated the services of the petitioner herein. The petitioner seeks to set aside the said order.

2. The petitioner had responded to a Notification to fill up vacancies for the post of Anganwadi worker for Thandarai Colony Centre. The petitioner had attended the interview which was held on 12.09.2017 at the office of the Project Officer, Child Welfare, Indra Nagar, Tiruvannamalai. The petitioner was directed to produce certificates to substantiate her education, community and age. The petitioner was appointed vide order dated 18.01.2018 which was subject to an order to be passed at that point of time in W.P.No.28415 of 2014.

3. The petitioner had then received the impugned order dated 13.02.2018 terminating her service. Questioning that particular order, the present Writ Petition has been filed.

4. On the side of the respondents, it had been stated that the petitioner had not disclosed the fact that her husband K.Annadurai was working as Headmaster in a Primary School, Madurampattu Panchayat Union, Thiruvannamalai. He had joined the service on 11.08.1997. Hence, on the



date on which the petitioner was appointed as Anganwadi worker, her husband was in service.

WEB COPY

5. The post of Anganwadi worker is reserved for those who require such job. The petitioner was already in a position of affluence and since her husband was employed profitably as Headmaster in a Primary School, it is only appropriate that the petitioner should give way to other candidates who require such job for the day-to-day living.

6. The fact that the petitioner had not disclosed the employment details of her husband has to be considered by this Court in its proper light and if so considered it would be described as suppression of material fact by the petitioner herein. Any benefit obtained by suppression will have to be interfered with by this Court and the order granting such benefit will have to be set aside.

7. Hence, the impugned order stands upheld and this Writ Petition stands dismissed. No costs. Connected Miscellaneous Petition is also dismissed.

SI
Index: Yes/No
Speaking/Non-speaking order
Neutral citation: Yes/No

13.09.2023

C.V.KARTHIKEYAN,J.



W.P.No.4204 of 2018

Sl

To

WEB COPY

1. The District Collector,
Collectorate Buildings,
Tiruvannamalai.
2. The Project Officer,
Tiruvannamalai (Village),
Tiruvannamalai.

W.P.No.4204 of 2018
& WMP No.5146 of 2018

13.09.2023