



WEB COPY



W.P.No.5642 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE **P.B.BALAJI**

W.P.No.5642 of 2018
and W.M.P.No.6975 of 2018

Kalaivani

...Petitioner

-Vs-

1. The District Programme Officer,
Integrated Child Development Services Scheme,
Dharmapuri District,
Dharmapuri.

2. The Project officer,
Child Development Scheme,
Karimangalam,
Dharmapuri.

3. Amala

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the first respondent in Pro.Sa.Moo.Na.Ka.No.539/A1/2017 dated 09.02.2018, quash the same and issue consequential directions to the first respondent herein to appoint the petitioner as Anganwadi Helper in the Elangalappatty Centre-1, Karimangalam Taluk and Dharmapuri District.



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For Petitioner : Mr.R.Dhanasekar
For Respondents
For R1 & R2 : Mr.V.Arun
Additional Advocate General
For Mr.R.Kumaravel
Additional Government Pleader
For R3 : No appearance

ORDER

The petitioner seeks issuance of a Writ of Certiorarified Mandamus, to quash the impugned order passed by the first respondent in Sa.Moo.Na.Ka.No.539/A1/2017 dated 09.02.2018, and to issue consequential directions to the first respondent herein to appoint the petitioner as Anganwadi Helper in the Elangalappatty Centre-1, Karimangalam Taluk and Dharmapuri District.

2. The petitioner challenges the appointment of the third respondent as Anganvadi Worker alleging gross violation of G.O.Ms.No.110 dated 14.05.2012, in appointing the third respondent. The petitioner resides in a nearer village and the third respondent, according to the petitioner, has given a false address for getting appointment.



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3. However, it is seen from the additional counter filed by the second respondent that both the petitioner and the third respondent are residing at Kollupatti Village which is part of Elangalapatti Panchayat. As none of the applicants were found in the locality in order to consider on the ground of distance factor including the petitioner and the third respondent, ultimately the third respondent was selected on the strength of the total marks obtained by her, which is four marks higher than the marks obtained by the petitioner in the interview.

4. Though the learned counsel appearing for the petitioner would take this Court through the allegation made in the affidavit filed before this Court, especially in para 7 of the affidavit, the petitioner is unable to substantiate the said allegations on the basis of any material or documentary evidence.

5. However, the stand of the second respondent in the Additional counter dated 20.12.2022, is very specific and clear that both the petitioner and the third respondent are the residents of the same village viz., Kollupatti Village.



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6. This Court does not find any infirmity in the appointment of the third respondent and consequently the present petition deserves to be dismissed. Accordingly, the Writ Petition stands dismissed. Consequently, connected miscellaneous petition is closed. There shall be no order as to cost.

21.06.2023
($\frac{1}{2}$)

Internet: Yes
Index : Yes/No
Speaking/Non Speaking order

rts



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P.B.BALAJI. J.

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