



W.P.No.20504 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.20504 of 2018

and

W.M.P.No.24101 of 2018

C.Bakiyalakshmi

... Petitioner

Vs.

1.The District Collector,
Villupuram District,
Villupuram.

2.The District Project Officer,
ICDS Scheme,
Villupuram, Villupuram District.

3.The Block Development Officer-cum-Child
Development Project Officer,
Thiruvannainallur Panchayat Union,
Villupuram District.

4.Sarumathi

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the appointment of the fourth respondent herein by the proceedings of the second respondent in SE.MU.THA.KA.No.1938/A/2017 dated 14.12.2017 and quash



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the same and consequently direct the second respondent to appoint the petitioner as Anganwadi Assistant in Pavanthur-I, Pavanthur Village, Thiruvannainallur Panchayat Union, Villupuram District.

For Petitioner : Mr.L.Muthusamy

For Respondents :
For R1 to R3 : Mr.V.Arun
Additional Advocate General
Assisted by
Mr.R.Kumaravel
Additional Government Pleader

For R4 : No appearance

ORDER

The petitioner seeks issuance of a Writ of Certiorarified Mandamus, to quash the appointment of the fourth respondent and to consequently direct the second respondent to appoint the petitioner as Anganwadi Assistant.

2. At the outset, it is brought to the notice of the Court by the learned counsel for the petitioner that, though selection was for the post of Anganwadi Assistant, the appointment of the fourth respondent was to the post of Anganwadi Worker.

3. The learned counsel for the petitioner would also state that both the



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petitioner as well as the fourth respondent had applied only for the post of Anganwadi Assistant and not Anganwadi Worker. Moreover, it is also seen that this Court in and by an order dated 20.12.2022 directed the Additional Government Pleader to get instructions with regard to the apparent manipulation in marks awarded to the fourth respondent.

4. Mr.V.Arun, learned Additional Advocate General would furnish a copy of the mark sheets and it is very clear that the marks secured by the fourth respondent is only 12. However, it has been converted to 14.

5. For both the above reasons, namely, the selection itself being for the post of Anganwadi Assistant, the appointment could not have been made to the post of Anganwadi Worker and secondly there has been clear manipulation in the final mark sheets, the writ petition deserves to be considered and accordingly, the writ petition is allowed and the impugned order appointing the fourth respondent is set aside.

6. It is open to the first respondent to conduct a fresh selection process



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following due process of law and it is open to the petitioner to apply for the post of Anganwadi Assistant.

7. Though the order of appointment of the fourth respondent is set aside, in the over all interest of the centre, the fourth respondent may be permitted to continue till such time a fresh selection process is undertaken and completed. No costs. Consequently, connected Writ Miscellaneous Petition is closed.

21.06.2023

Index : Yes / No
Internet : Yes / No
Speaking Order/Non-Speaking Order
Neutral Citation : Yes / No

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To



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P.B.BALAJI, J.

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