



WEB COPY



W.P.No.22324 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 31.03.2023

CORAM

**THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN**

W.P.No.22324 of 2019

Suganya Devi

... Petitioner

Vs.

1. The District Collector,  
Collectorate Office  
Villupuram District

2. The Child Development Officer,  
Child Development Office,  
Vanur Taluk

...Respondents

Writ Petition is filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus to direct the 1<sup>st</sup> respondent to consider and pass orders on the representation of the petitioner dated 05.03.2018.

For Petitioner : Mr.R.Kannan

For Respondents : Mr.V.Arun  
Additional Advocate General  
assisted by  
Mr.R.Kumaravel for R1  
Additional Government Pleader  
R2 - No appearance.



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### ORDER

The present Writ Petition has been filed for issuance of a Writ of Mandamus to direct the 1<sup>st</sup> respondent to consider and pass orders on the representation of the petitioner dated 05.03.2018.

2. The brief case of the petitioner is as follows:-

On the basis of the advertisement issued by the Government of Tamilnadu, the petitioner applied for the post of Anganwadi Worker vide an application dated 28.08.2017 under B.C. Quota to the 2<sup>nd</sup> respondent herein and the said 2<sup>nd</sup> respondent fixed the interview on 06.09.2017 in which, the petitioner attended and furnished necessary documents. Further, the petitioner is only the eligible person to be appointed, since no other person was called for the interview and the vacancy was for Backward class quota. In the meanwhile, the writ petitions were filed against the selection of Anganwadi worker before this Court and when the said petitions are pending, one Mrs.Anandhi from a neighbouring village was appointed as an anganwadi worker against the rules and regulation prescribed by the 2<sup>nd</sup> respondent herein. Therefore, the petitioner made a representation dated 05.03.2018 to the 1<sup>st</sup> respondent to conduct an enquiry into the illegal appointment of Anandhi, but the same has not been done, hence this petition.

3. The learned counsel for the petitioner would submit that on the



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basis of the advertisement issued by the Government of Tamilnadu, the petitioner applied for the post of Anganwadi worker vide an application dated 28.08.2017 to the 2<sup>nd</sup> respondent herein. Moreover, the petitioner submitted her application under BC quota and the vacancy was also for backward class quota. While so, writ petitions were filed against the selection of anganwadi worker before this Court, pending writ petitions, one Anandhi from a neighbouring village was appointed as an Anganwadi worker against the rules and Regulations prescribed by the 2<sup>nd</sup> respondent herein, hence the petitioner made a representation dated 05.03.2018 to the 1<sup>st</sup> respondent to conduct the enquiry on the said illegal action, the same has not been considered, therefore, the present petition was filed.

4. Mr.V.Arun, learned Additional Advocate General assisted by Mr.R.Kumaravel, Additional Government Pleader appearing for 1<sup>st</sup> respondent submitted that four persons have appeared for the interview and out of that, one Anandhi was selected, who was at that point of time, aged 31 years and belongs to BC Community. Further, the said Anandhi was appointed on the basis of seniority by strictly following the rules and regulations stipulated by the 2<sup>nd</sup> respondent and hence the 1<sup>st</sup> respondent, vide Proceedings No.1958/A1/2017 dated 14.12.2017 appointed the said



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Anandhi and she is being working till date, therefore, the petitioner is not entitled to the said post.

5. Though the notice was ordered to the 2<sup>nd</sup> respondent and name has been printed in the cause list, there is no appearance for the 2<sup>nd</sup> respondent either in-person or through learned counsel.

6. Considering the fact that the said Anandhi was appointed on the basis of seniority by strictly following the rules and regulations stipulated by the 2<sup>nd</sup> respondent and she is also working in the said post till date and coupled with the fact that since the representation of the petitioner dated 05.03.2018 is pending, the 1<sup>st</sup> respondent is hereby directed to consider the said representation and pass necessary / appropriate orders as expeditiously as possible preferably within a period of three months.

In view of the above, the Writ Petition is disposed of. No costs.

31.03.2023

Index : Yes/No  
Internet : Yes/No  
ssd



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**V.BHAVANI SUBBAROYAN, J.,**

ssd

To

1. The District Collector,  
Collectorate Office  
Villupuram District
2. The Child Development Officer,  
Child Development Office,  
Vanur Taluk

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