



W.P.No.24773 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.08.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.24773 of 2023 & WMP.No.24197 of 2023

M.Fathima Gani

... Petitioner

Vs

1. State of Tamilnadu
Rep. by its Secretary to Govt.,
Department of Social Welfare and Noon
Meal Programme [NMP]
Secretariat, Chennai – 600 002.
2. Director @ Managing Director,
Integrated Child Development Project,
1, Pammal Nallathambi Street, Periyar Nagar,
Tharamani, Chennai – 600 113.
3. The District Project Officer,
Integrated Child Development Project,
Sir Thyagaraua Road, TVK Colony,
Teynampet, Chennai – 600 018.
4. The Child Development Project Officer,
Project – 2, No.14, Subrayan Street,
Shenoy Nagar, Chennai – 600 013.



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5. The Director of Public Health and Preventive Medicine,
64, 75, Main Road, Chokkalingam Nagar,
Teynampet, Chennai – 600 006.

... Respondents

Prayer:- Writ Petition is filed, under the Article 226 of Constitution of India, to issue a Writ of Mandamus directing the 4th Respondent herein to forward the application submitted by the petitioner on 11.08.2023 for ANM (Auxiliary Nursing and Midwifery) training conducted by the 5th respondent based on the communication in R.No. 4976980/ Trg-1/S3 / 2021 dated 12.07.2023 on or before 28.08.2023.

For Petitioner : Mr.R.T.Shyamala

For Respondents : Mr.E.Vedabagathsingh
Special Government Pleader

ORDER

This Writ Petition has been filed to direct the fourth Respondent herein to forward the application submitted by the petitioner on 11.08.2023 for ANM (Auxiliary Nursing and Midwifery) training conducted by the 5th respondent based on the communication in R.No. 4976980/ Trg-1/S3 / 2021 dated 12.07.2023 on or before 28.08.2023.



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2. The case of the petitioner is that the petitioner was originally appointed as Mini Anganwadi Worker on 01.09.2017. Thereafter, she was promoted as Main Anganwadi Worker on 28.01.2023. It is the contention of the petitioner that as per the Draft Policy Note 2021-2022 issued by the ICDS, Anganwadi workers below 42 years of age with 2 years experience are eligible to undergo Village Health Nurse Training and subsequent postings. Pursuant to the above policy, proceedings has been issued by the second respondent in R.No.4976980/TRg-I/S3/2021, dated 12.07.2023 and the petitioner has submitted her application. However, the said application has not been forwarded by the fourth respondent. Hence, the present Writ Petition.

3. It is the contention of the learned Special Government Pleader appearing for the respondents that since the petitioner has not completed two years of service as a Main Anganwadi worker, the application of the petitioner has not been forwarded.



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4. I have perused entire materials. The letter of the second respondent in R.No.4976980/TRg-I/S3/2021, dated 12.07.2021 when carefully read, the same does not make any difference between Mini and Main Anganwadi Worker. The letter only stipulates that candidates should have completed two years of service as Anganwadi Worker in ICDS Department will be eligible for training. The subsequent communication dated 10.08.2023 by the Director to ICDS to the District Officials also makes it clear that the persons eligible for training should be primarily Anganwadi worker and the communication does not distinguish Mini and Main Anganwadi Worker. However, clarifies that two years experience is required as Anganwadi Worker.

5. Admittedly, the petitioner is working as Main Anganwadi Worker from January, 2023 and she is working as a Mini Anganwadi Worker from 01.09.2017. In such view of the matter, there shall be a direction to the fourth respondent to forward the application of the petitioner to the fifth respondent for consideration within a period of one week from the date of receipt of a copy of this Order and the fifth



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respondent, on receipt of such application, shall pass Orders on the same on its own merits within a period of one month thereafter.

6. With the above direction, this Writ Petition is disposed of. Consequently, connercted miscellaneous petition is closed. No costs.

23.08.2023

Index:Yes/No

Neutral Citation : Yes/No

vrc

To,

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Department of Social Welfare and Noon
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2. Director @ Managing Director,
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N.SATHISH KUMAR, J.

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