



W.P.No.25666 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2023

CORAM

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.25666 of 2017

and

W.M.P.Nos.27074, 27075 & 27576 of 2017

R.Suriya

... Petitioner

Vs.

1.The District Collector,
Office of the Collectorate,
Cuddalore.

2.District Programme Officer,
DRDA,
Beach Road,
Cuddalore.

3.Deputy Director (HS),
Beach Road,
Cuddalore.

4.Child Development Project Officer,
Child Development Office,
Cuddalore.

5.Vimala

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records selecting the 5th respondent in Sl.No.133 of the Selection list issued by the 1st respondent in the official website on 19.09.2017 and quash the same as arbitrary, illegal, null and void and direct the respondents 1 to 4 to conduct fresh selection process following in G.O.Ms.No.110 of 2012 dated 14.05.2012 issued by the Social Welfare Nutrition Meal Department, Tamil Nadu Government.

For Petitioner : Mr.A.Manojkumar

For Respondents : Mr.L.S.M.Hasan Fizal
Additional Government Pleader
For R1 to R4

Mr.K.Gandhikumar
for R5

ORDER

This Writ Petition has been filed to quash the order of the 1st respondent published in the official website on 19.09.2017 and to direct the respondents 1 to 4 to conduct fresh selection process following G.O.Ms.No.110 of 2012 dated 14.05.2012 issued by the Social Welfare Nutrition Meal Department, Tamil Nadu Government.



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2.The learned counsel for the petitioner would submit that the petitioner applied for the post of Anganwadi Helper for the vacancy of her native Karikkan Nagar, Madhalapattu Panchayat and Reddy Chavadi which is situated from 500 meters from her residence. The post of Anganwadi helper, Karikkan Nagar Anganwadi centre is General quota. The petitioner belongs to the Most Backward Community. She attended interview on 16.09.2017. Thereafter, the selection list was published on 19.09.2017 but she was not selected for the post of Karikkannagar Anganwadi Helper. Another women, namely, Vimala, the 5th respondent from Chinnakuttyankuppam village, Thokkanam Pakkam Post, Cuddalore was selected. This is totally against the guidelines issued by the Government in G.O. Ms.No.110 of 2012 dated 14.5.2012, wherein it is categorically stated that the Anganwadi Helper should be selected within the same village, as mentioned in the norms 3.8 in the above said G.O.. Without following the norms/guidelines, the respondents selected the 5th respondent. If no other person is eligible from the same village then only the G.O permits a person from other panchayat. The petitioner is within the resident of Karikkannagar



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Panchayat and possessed all the necessary qualifications but she was not selected for the said post. Hence, this Writ Petition.

3.The learned Additional Government Pleader appearing for the respondents 1 to 4 would submit that the petitioner belongs to the Most Backward Community and the post of Anganwadi helper Karikkan Nagar Anganwadi Centre is General Quota. The 5th respondent from Chinnakutyankuppam Village, Thokkanam Pakkam Post, Cuddalore was selected as per the the guidelines issued by G.O.Ms.No.110 of 2012 dated 14.05.2012. Further, the selection has been made based on the age and mark of the candidates. The petitioner obtained only 14 marks and the 5th respondent obtained 25 marks. Further, the 5th respondent was 39 years old and based on the age, the 5th respondent was selected to the said post. The selection process is in accordance with G.O.Ms.No.110 Social Welfare and Nutritious Meal Programme (SW7) Department dated 14.05.2012. The above G.O. does not prescribe for appointment of candidates through Employment Exchange. If the applicants have registered in the employment



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exchange they can enclose the employment exchange registration card. But the registration before the employment exchange is not mandatory. The appointment of the 5th respondent is in accordance with law and there is no violation in any manner. The appointment process has already been completed all over the Districts and the petitioner's claim cannot be entertained at this point of time as the candidates who were recruited to the post of Anganwadi Workers, Mini Anganwadi Workers and Anganwadi Helpers in all the three categories would put to severe hardship.

4.Heard the learned counsels appearing on either side and perused the material available on record.

5.On a perusal of the records, it is seen that the petitioner belongs to Most Backward Community and the said post Karikkan Nagar Anganwadi Centre is General Quota. The petitioner has participated in the interview but she was not selected. The 5th respondent from Chinnakuttyankuppam village, Thokkanam Pakkam Post, Cuddalore was selected as per the Government in G.O. Ms.No.110 of 2012 dated 14.5.2012. Further, the selection has been



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made based on the age and marks obtained by the candidates. The petitioner obtained only 14 marks and the 5th respondent obtained 25 marks. Further, the 5th respondent is 39 years old and the petitioner is 28 years old. Based on the age, the 5th respondent was selected to the said post. The appointment of the 5th respondent is in accordance with law. Hence, this Court is not inclined to entertain this Writ Petition.

Accordingly, this Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

15.12.2023

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
mps

To

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Office of the Collectorate,
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V.BHAVANI SUBBAROYAN, J,

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