



W.P.(MD)No.4391 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.01.2023

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.4391 of 2020

and

W.M.P(MD)Nos.3694 and 3697 of 2020

Selvi

... Petitioner

Vs.

1.The District Collector,
Dindigul District,
Dindigul.

2.The District Project Officer,
Anganvadi Centres,
Spencer Compound,
Dindigul.

3.The Child Development Project Officer,
Opposite to Palaru-Porundhalaru Dam Office,
Dindigul Road,
Palani, Dindigul District.

4.S.Kathirvel

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the order of the 3rd respondent in his proceedings in



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Se.Mu.Na.Ka.No.2115/A1/2017 dated 28.11.2019 and quash the same as illegal, consequently directing the 1st respondent to reinstate the petitioner as Anganvadi Assistant in Naiyakar Thottam 10th Ward Anganvadi Centre.

For Petitioner : Mr.T.Lenin Kumar
For R1 to R3 : Mrs.K.Christy Theboral
Additional Government Pleader

ORDER

This writ petition has been filed challenging the order of the first respondent dated 28.11.2019 and to quash the same and consequently direct the 1st respondent to reinstate the petitioner as Anganvadi Assistant in Naiyakar Thottam 10th Ward Anganvadi Centre.

2. The case of the petitioner is that she was appointed as Anganvadi Assistant in Anganvadi Centre of Naaiyakar Thottam 10th Ward, Palani Taluk, Dindigul District in the year 2018 and she has produced all the certificates before the third respondent. However, the first respondent has cancelled the appointment on 28.11.2019, on the ground that the petitioner has produced the bogus transfer certificate. Challenging the said cancellation of appointment, the present writ petition has been filed.



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3. The learned counsel appearing for the petitioner would submit that the petitioner is an illiterate person and widow and she has approached the fourth respondent for securing certificate from the school. But the fourth respondent has created a bogus transfer certificate and handed over to the petitioner and innocently the petitioner has produced the same before the educational authorities. Further, the minimum qualification of the said post is sixth standard and the petitioner has possessed necessary qualification and without considering the same, the first respondent has passed the impugned order, which is not sustainable one. Hence, he prayed for allowing this writ petition.

4. The learned Additional Government Pleader appearing for the respondents 1 to 3 would submit that the petitioner was joined as temporary Anganvadi Assistant at Naicker Thootam 10th Ward Anganvadi Centre on 22.10.2018. The fourth respondent has lodged a complaint before the first respondent on 24.06.2019, stating that the certificate produced by the petitioner was bogus and concocted. Hence, a detailed enquiry was



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conducted and the petitioner has stated that she studied up to 6th standard in Government Kallar Higher Secondary School, Kondayanaickenpatti. But verification with the Headmistress, it was found that she did not study in that school. Since the explanation offered by the petitioner was not satisfied, she was removed from the post. Further, during the enquiry, the petitioner herself admitted that she has produced the bogus certificate and hence, he prayed for dismissal of the writ petition.

5. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 to 3.

6. In view of the categorical admission made by the petitioner that she has produced the bogus certificate, the present impugned order has been passed, which cannot be interfered with by this Court. Hence, this Writ Petition is dismissed. No costs. Consequently, the connected Miscellaneous Petitions are closed.

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M.DHANDAPANI,J.

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