



W.P.(MD)No.26917 of 2019

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.04.2023

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THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.26917 of 2019

and

W.M.P(MD)No.23260 and 23262 of 2019

M.P.Santhi

... Petitioner

Vs.

1.The District Collector,
Dindigul District.

2.The District Programme Officer,
Integrated Child Development Service,
Dindigul District,
Dindigul.

3.The Child Development Project Officer,
Batlagundu Block,
Batlagundu,
Dindigul District.

4.M.Gowri

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of *Writ of Certiorarified Mandamus*, calling for the records on the file



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of the 1st respondent in connection with the impugned order of appointment issued to the 4th respondent vide his proceedings in Se.Mu.Na.Ka.No. 2115/A1/2017 dated 25.9.2018 and quash the same as illegal and arbitrary and consequently direct him to appoint the petitioner in the post of Anganwadi Worker for Kadambanur Anganwadi Centre of Batlagundu Block, Dindigul District based on his application and interview conducted for the said Anganwadi Centre within the time limit that may be stipulated by the Court.

For Petitioner : Mr.G.Thalaimutharasu

For Respondent : Mr.S.R.A.Ramachandran,
Additional Government Pleader
for R-1 to R-3

Mr.J.Lawrance for R-4

ORDER

This writ petition is filed to quash the impugned appointment order, dated 25.9.2018 and consequently direct the 2nd respondent to appoint the petitioner as Anganwadi Worker.

2. Heard Mr.G.Thalaimutharasu, learned counsel appearing for the petitioner and Mr.S.R.A.Ramachandran, learned Additional Government Pleader



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appearing for R-1 to R-3 and Mr.J.Lawrance, learned counsel appearing for R-4.

Perused the material documents available on record.

3. The contention of the petitioner is that she belongs to MBC community. Based on her qualification, she had already registered her name with the Employment Exchange. The petitioner has submitted an application, dated 12.08.2017 for the post of Anganwadi in Kadambanur Centre. The respondents after scrutinizing the application form, issued call letter for interview and certificate verification to be held on 30.08.2017. The petitioner had appeared for interview and certificate verification and performed best to her knowledge. The petitioner was expecting an appointment order for Anganwadi in Kadambanur Centre. But the respondents have issued the appointment order in the name of the 4th respondent on 25.09.2018.

4. The contention of the petitioner is the respondents have not followed the roster system properly and the petitioner has also raised various other grounds. Since all these grounds related to factual matter, this Court directed the learned Additional Government Pleader appearing for the official



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respondents to produce all original records and also directed the concerned authorities to be present before this Court.

5. Today, when the matter is taken up for hearing, the concerned authority is present before this Court with original files, namely ***P.Vijayarani, Child Development Project Officer, Batlagundu Block, Dindigul District.***

6. Considering the rival submissions, the 1st contention that was raised by the petitioner is that the respondents have not followed the roster system. The respondents ought to have called persons from Backward Class community. Since the petitioner belongs to Backward Class Community, she is eligible candidate for the said post. But the respondents have called the 4th respondent who is belongs to Schedule Class community. This fact was refuted by producing the roster system. As on date the post ought to be allotted to Schedule Caste Adi Dravidar Community and the respondents have produced the communication of the District Programme Officer, Dindigul, dated 05.08.2017.



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7. On perusal of the same, it is seen that for Kadambavanam Centre it was allotted only for Adi Dravidar. The 4th respondent being Adi Dravidar the respondents have participated in the said process. Therefore, the contention of the petitioner is erroneous, without verifying the correctness of the fact, the petitioner has stated that the Kadambavanam is allotted to Most Backward Class.

8. The next contention that was raised by the petitioner that she has applied for Kadambavanam Centre. This fact was refuted by the respondents stating that the petitioner never applied for Kadambavanam Centre and produced the original application form submitted by the petitioner. On perusal of the same, it is seen that the petitioner has applied for Ashramam Colony, Kanavaipatti. The application filed in the typed set of papers by stating that the petitioner has applied for Kadambavanam Centre.

9. The learned Additional Government Pleader appearing for the official respondents submitted that the petitioner has stated that she has applied for the said post on 12.08.2017. But the respondents have started receiving the



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application forms from the general public candidates from 16.08.2017 onwards.

Therefore, the said application, dated 12.08.2017 is bogus and false one.

10. After hearing the rival submissions, this Court is of the considered opinion that, the writ petitioner has submitted application form only for Ashramam Colony, Kanavaipatti, not for Kadambavanam. Moreover, the respondents had received the applications from the general public candidates from 16.08.2017 onwards, but the petitioner claims that she had submitted an application on 12.08.2017, which would clearly indicate that the petitioner has not submitted any application for Kadambavanam center. Since both the grounds (roaster and center) raised by the petitioner is rejected, this Court is not inclined to entertain this writ petition.

11. Accordingly, this Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Index : Yes / No
Internet : Yes
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S.SRIMATHY, J

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**Order made in
W.P.(MD)No. 26917 of 2019**

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