



WEB COPY



W.P.No.1546 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.1546 of 2024

and

W.M.P.No.1561 of 2024

V.Kaviyarasi

....

Petitioner

Vs

1. The State of Tamil Nadu,
Rep. by its Secretary to Government,
Tamil Nadu Social Welfare Department,
Fort St.George, Chennai – 600 009.

2. The Director,
Integrated Child Development Services (ICDS),
No.1, Pammalanallathambi Street,
Taramani, Chennai – 600 113.

3. The District Collector-cum-Project Officer,
Integrated Child Development Services (ICDS),
Room No.1, Villupuram District Collectorate Campus,
Villupuram District – 605 602.

4. The Child Development Project Officer,
Integrated Child Development Services (ICDS)
Ginjee Taluk,
Villupuram District – 604 202

5. S.Sarala

....

Respondents



W.P.No.1546 of 2024

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records of the proceedings of the third respondent having Ref.Se.Mu.Na.Ka.No.2034/A1/2023, dated 29.11.2023 quash the same and consequently direct the respondents 1 to 4 to reinstate the petitioner in service as Anganwadi Worker at Anganwadi Centre No.28, Manalipadi Village, Villupuram District with continuity of service and with all monetary and attendant benefits.

For Petitioner : Mr.R.Venkata Varathan
For R1 to R4 : Mr.A.M.Ayyadurai
Government Advocate

ORDER

This Writ Petition has been filed challenging the order dated 29.11.2023 passed in Se.Mu.Na.Ka.No.2034/A1/2023 by the third respondent, thereby dismissing the petitioner from service.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner was appointed as Anganwadi Worker in Manalipadi Anganwadi Centre, Gingee Taluk. However, the fifth respondent had challenged the appointment of the petitioner by way of a writ petition before this Court in W.P.No.27115 of 2018. This Court, by an order dated



W.P.No.1546 of 2024

28.06.2023, allowed the writ petition and set aside the appointment of the petitioner herein. Therefore, the third respondent passed an order, thereby removed the petitioner from service. In fact, the petitioner also challenged the order passed by the Hon'ble Single Judge of this Court in W.P.No.27115 of 2018 by way of Writ Appeal, which is pending in W.A.SR stage. Therefore, the order of removal has been passed only in pursuant to the order passed by this Court. It is only a consequential order passed by this Court. Therefore, the petitioner can challenge this order only subject to the result of the writ appeal.

4. With the above observation, this Writ Petition stands dismissed.

Consequently, connected miscellaneous petition is closed. No costs.

29.01.2024

Internet: Yes

Index : Yes/No

Speaking/Non Speaking order

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To

1. The Secretary to Government,
Tamil Nadu Social Welfare Department,
Fort St.George, Chennai – 600 009.
2. The Director,
Integrated Child Development Services (ICDS),



W.P.No.1546 of 2024

No.1, Pammalanallathambi Street,
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3. The District Collector-cum-Project Officer,
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G.K.ILANTHIRAIYAN. J.



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W.P.No.1546 of 2024

Lpp

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