



W.P.No.19590 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.No.19590 of 2021 and
W.M.P.No.20873 of 2021

G.Anbarasi

... Petitioner

Vs.

1.The District Collector,
Collectorate,
Nagapattinam District.

2.The District Programme Officer,
O/o.The Child Development Project Officer,
Integrated Child Development Project Office,
District Collector Office, Nagapattinam.

3.The Deputy Director,
O/o.The Child Development Project Officer,
Behind Municipality,
Nagapattinam.

4.The Child Development Project Officer,
O/o.The Child Development Project Officer,
Integrated Child Development Project,
Behind Municipality,
Nagapattinam.

5.Mrs. Poongothai

... Respondents



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Prayer : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 to 4 to appoint the petitioner to the post of Anganwadi Assistant (Helper) in Kothamangalam Anganwadi, Nagapattinam Taluk and District in the place of the fifth respondent namely Mrs.Poongothai on the basis of the petitioner's representation dated 11.01.2018.

For Petitioner : Mr.S.Giritharan
For Respondents : Mr.M.Rajendran, AGP for R1 to R4
No appearance for R5

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus to direct the respondents 1 to 4 to appoint the petitioner to the post of Anganwadi Assistant (Helper) in Kothamangalam Anganwadi, Nagapattinam Taluk and District in the place of the fifth respondent namely Mrs.Poongothai on the basis of the petitioner's representation dated 11.01.2018.

2. Heard Mr.S.Giritharan, learned counsel for the petitioner and Mr.M.Rajendran, learned Additional Government Pleader for the respondents 1 to 4.

3. The petitioner is said to have applied for the post of Anganwadi



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Assistant consequent to the notification issued in Notification No.494 dated 28.07.2017 of Kothamangalam Village. However, she was not considered for the appointment and the fifth respondent was appointed for the said post. According to the petitioner, the fifth respondent is not qualified for the post of Anganwadi Assistant as she is residing 5 Kms away from Kothamangalam Village.

4. It is submitted by the learned counsel for the petitioner that as per the eligibility criteria, the applicant ought to have resided within 3 Kms radius from the particular Anganwadi and hence, the fifth respondent is not eligible for appointment.

5. The learned Additional Government Pleader for the respondents 1 to 4 submitted that the fifth respondent has been selected for the post of Anganwadi Assistant on the basis of the marks obtained by her and other criteria. The fifth respondent obtained 37 marks out of 50 whereas the petitioner has obtained only 35 marks. It is further submitted that in the notification itself, the condition as to the residence distance within 3kms radius from the Anganwadi Centre is not mentioned. Therefore, this Writ



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Petition is liable to be dismissed.

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6. In the notification itself there is no mention about the condition as to the residence distance within 3Kms radius for the applicants to the post of Anganwadi Assistant. Moreover, the fifth respondent had obtained more marks than the petitioner. In such circumstances, the petitioner has no *locus standi* to question the appointment of the fifth respondent. Hence, I find no merits in this Writ Petition.

7. In view of the above stated reasons, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

23.01.2024

Index : Yes /No
Internet : Yes/No
Speaking / Non-speaking
Neutral Citation : Yes / No
gsk



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To

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R.N.MANJULA, J.

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