



WEB COPY



WP.No.5481 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2024

CORAM

THE HONOURABLE Mr.JUSTICE C.KUMARAPPAN

WP.No.5481 of 2020
and
WMP.Nos.6407 & 6409 of 2020

S.Prabha

... Petitioner

Vs.

1. District Collector,
Collector Office Road,
Moovendar Nagar,
Villupuram 605 602.
2. District Planning Officer,
Collector Office Road,
Moovendar Nagar,
Villupuram 605 602.
3. Union Planning Officer,
Child Development Scheme,
District Development Office,
Marakanam, Villupuram.
4. Director and Development Director,
Union Child Development Scheme,
Taramani, Chennai-600 013.
5. Devibala

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a writ of Certiorarified Mandamus, calling for the records and order issued by the 2nd respondent under Ref:S.M.N.K.No.1900/A1/2018



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dated 20.09.2019 and quash the appointment of 5th respondent as being illegal and consequently direct the 2nd respondent to appoint the petitioner as an Anganvadi worker in Vada Alapakam Village.

For Petitioner : Ms.C.Samantha
for Mr.R.Thiagarajan

For Respondents : Mr.A.M.Ayyadurai
Government Advocate for R1 to R4
R5-No Appearance

ORDER

The instant writ petition has been filed challenging the appointment order issued to the 4th respondent.

2. The learned counsel for the petitioner would vehemently contend that she has applied for the post of Noon Meal Organizer vacancy arising in Villupuram District. It is the specific contention of the learned counsel for the petitioner that the petitioner is a widow and has completed D.T.Ed. qualification and she was the only eligible person to be appointed in the vacant post. Whereas, on some extraneous consideration and also by using the political influence, the 4th respondent got appointed. Hence, prayed to interfere with such appointment.



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3. Per contra, the learned Government Advocate would vehemently contend that, a Notification was issued and an application was called for from the eligible candidates, and on conducting interview, on merit basis, the 4th respondent was selected and there was no arbitrary exercise of power. Hence, prayed to dismiss the writ petition.

4. I have given my anxious consideration to either side submissions.

5. From the submissions made by the learned counsel for the petitioner, the main contention is that the vacant post comes under the priority category of widow and that the petitioner being a widow, comes under the priority category, eligible to be considered for appointment. It is her further case that the 4th respondent did not come within the above priority category. However, to prove such factum, the petitioner is not in a position to submit any of the respondent's notification indicating the above aspects. Whereas, the learned Government Advocate, on written instructions would submit that the 4th respondent has obtained 32 marks in the interview and has got all other required qualifications, whereas the petitioner has secured only lesser mark qua 20 marks and accordingly, she did not come within the zone of consideration as she is less meritorious than the 4th respondent.



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6. From the submissions made by the learned Government Advocate, it would be apparent that the petitioner did not secure the required marks to be appointed in the said post. Therefore, this Court could not find any infirmity in the appointment of the 4th respondent.

7. In the result, this writ petition is dismissed. No costs.
Consequently, connected Miscellaneous Petitions are also closed.

18.10.2024

kmi

Index : Yes /No

Speaking order/Non Speaking Order

Neutral Citation : Yes/No

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C.KUMARAPPAN, J.

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