



W.P.No.26231 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2024

CORAM :
THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.26231 of 2012
and M.P.Nos.2 & 3 of 2012

Anbu

... Petitioner

Vs.

1.The District Collector,
Krishnagiri district.

2.The Child Development Project Officer,
Sivampatty Village,
Pochampalli Taluk,
Krishnagiri District.

3.Rajalakshmi

... Respondents

Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Certiorarified Mandamus calling for the records on the file of the second respondent pertaining to the selection list released by them for the post of Anganwadi worker in so far as Sl.No.7 for Sivampatti area is concerned and quash the same and consequently direct the first and



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second respondent to appoint the petitioner as an Anganwadi Worker for Sivampatty village, Mathur, Pochampalli taluk, Krishnagiri district.

For Petitioner : M/s.Selvi George

For Respondents 1 & 2 : Mr.M.Rajendran,
Additional Government Pleader

ORDER

The petitioner has filed this writ petition to call records on the file of the second respondent pertaining to the selection list released by them for the post of Anganwadi worker in so far as Sl.No.7 for Sivampatti area is concerned and quash the same and consequently direct the first and second respondent to appoint the petitioner as an Anganwadi Worker for Sivampatty village, Mathur, Pochampalli taluk, Krishnagiri district.

2. The petitioner has applied for the post of Anganwadi Worker under the Integrated Child Development Services (ICDS) Scheme at the Sivampatti Village, notified by the second respondent under the Backward Class category. Thereafter, she has attended the interview for the said post. However, she was not selected for the post of Anganwadi Worker.



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3. Learned counsel for the petitioner would further submit that as per G.O.Ms.No.163, Social Welfare and Nutritious Meal Programme Department, dated 18.08.2010, the candidate should reside within 3 kms from the Noon Meal Centre, however, the third respondent is a residence of Kondikindanapalli Village, Ward No.2, Pazayur, Jolarpettai, North Arcot District. Hence, she is not eligible to apply for this post, which is meant for the place Sivampatty Village. Thus, the third respondent has violated the conditions stipulated in the aforesaid Government Order. Challenging the selection order of the third respondent, the petitioner has come forward with the present writ petition.

4. Heard the learned counsel for the petitioner and perused the materials available on record.

5. This Court by its order dated 05.03.2024 directed the learned Additional Government Pleader appearing for the respondents 1 & 2 to submit the interview team report, details of marks secured by each candidates



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and vacancy position by way of written instruction and also directed the Tahsildar to submit a report regarding the residence of the third respondent in a sealed cover.

6. As per the direction of this Court dated 05.03.2024, learned Additional Government Advocate appearing for the respondents 1 & 2 has submitted the interview team report, details of mark secured by each candidates, vacancy position and the report regarding the residence of the third respondent. On perusal of the said documents, it is crystal clear and evident that the third respondent is the residence of the Sivampatti Village, where the post was notified by the second respondent and she has also secured highest mark than the petitioner. Thus, she has not violated any conditions stipulated in G.O.Ms.No.163, Social Welfare and Nutritious Meal Programme Department, dated 18.08.2010 and she is fully qualified/eligible for the post of Anganwadi Worker.

7. In order to consider the plea of the petitioner and to accommodate her in any one of the vacancy, this Court directed the learned Additional Government Pleader appearing for the respondents 1 & 2 to produce a



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vacancy position. However, it brought to the knowledge of this Court that the petitioner has already crossed her upper age limit of 40 years. As per G.O.Ms.No.163, Social Welfare and Nutritious Meal Programme Department, dated 18.08.2010, candidates from General Category should not exceed the age of 40 years. But, in the present case, the petitioner was 30 years at the time of filing this writ petition and as on date, she is 42 years. Hence, she has crossed the upper age limit of 40 years. Thus, the relief sought by the petitioner cannot be entertained by this Court.

8. This writ petition stands dismissed with the aforesaid observation.

No costs. Consequently, connected miscellaneous petitions are closed.

28.03.2024

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Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No

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Krishnagiri district.

2. The Child Development Project Officer,
Sivampatty Village,
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J.SATHYA NARAYANA PRASAD,J.

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