



WEB COPY



W.P. No. 2084 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2024

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P. No. 2084 of 2018

and

W.M.P. No. 2597 of 2018

K. Sampooram

... Petitioner

Vs.

1.The District Project Officer,
Integrated Child Development Scheme,
Namakkal, Namakkal District.

2.The Project Officer,
Integrated Child Development Scheme,
Thiruchengode Region,
Thiruchengode, Namakkal District.

3.R. Nadhiya

... Respondents

Writ petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of the first respondent in Se.Mu.Na.Ka.No.1018/A1/2017 dated 14.09.2017 and quash the same and direct the first respondent to appoint the petitioner as Anganwadi Helper in the Anganwadi Centre, Devanankurichi Ward-7 (For Ward-6), Thiruchengode Taluk, Namakkal District in the place of the third respondent with effect from the date of the impugned order, namely, 14.09.2017 and grant all consequential benefits to the petitioner.



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For Petitioner : Mr. P. Rajendran
For Respondents : Mr. M. Alagu Gowtham,
Government Advocate for RR1 & 2

ORDER

This Writ Petition has been filed against the appointment of the third respondent as Anganwadi Helper in the Anganwadi Centre, Devanankurichi Ward-7 (For Ward-6), Thiruchengode Taluk, Namakkal District.

2. The contention of the petitioner is that, the petitioner is more qualified candidate than the third respondent for appointment as Anganwadi Helper in the vacancy notified by the official respondents. Learned counsel for the petitioner submits that the petitioner is the permanent resident of the same hamlet where the Anganwadi Centre is situated. He further contends that the third respondent is the resident of 20 kms faraway from the Anganwadi Centre. But the petitioner could not satisfy the Court by producing acceptable materials to support their contentions.

3. Learned Government Advocate appearing for the respondents 1 and 2 on instructions submit that the third respondent has tendered her resignation to the post of Anganwadi Helper on 22.11.2022 and the same was accepted by the concerned authorities and now, the vacancy of Anganwadi Helper in the Anganwadi Centre, Devanankurichi Ward-7 (For Ward-6), Thiruchengode Taluk, Namakkal District is vacant and one person was appointed as in-charge, Anganwadi Helper.



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4. Considering the facts and circumstances of the case and the submissions of the learned counsel appearing on either side, as the petitioner failed to establish her case by producing sufficient materials to satisfy the Court to substantiate their contentions, this Court is not inclined to interfere into the order of appointment issued in favour of the third respondent. However, considering the present status that the third respondent has tendered her resignation and the vacancy of Anganwadi Helper in that centre is not yet filled on permanent basis, it is for the respondents 1 and 2 to issue fresh notification to fill the vacancy of Anganwadi Helper in the Anganwadi Centre, Devanankurichi Ward-7 (For Ward-6), Thiruchengode Taluk, Namakkal District.

5. Under these circumstances, this Court intends to dispose of this writ petition with the following direction: -

(i) The first and second respondents shall notify the vacancy of Anganwadi Helper in the Anganwadi Centre, Devanankurichi Ward-7 (For Ward-6), Thiruchengode Taluk, Namakkal District forthwith to fill the vacancy on permanent basis.



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(ii) If the petitioner is otherwise eligible, she can submit application for the notification to be issued by the respondents 1 and 2 and her candidature to be considered by them if the petitioner is otherwise eligible.

6. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

02.09.2024

Index :Yes/No

Neutral Citation :Yes/No

AT

To

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Integrated Child Development Scheme,
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Thiruchengode, Namakkal District.



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BATTU DEVANAND, J.

AT

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