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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.638 of 2024
and
W.M.P(MD)Nos.647 & 648 of 2024

Rajeswari

... Petitioner

Vs.

1.The District Collector,
District Collectorate,
Virudhungar District,
Virudhunagar.

2.The District Project Officer,
District Collectorate,
Virudhungar District,
Virudhunagar.

3.The Child Development Project Officer,
Narikudi Block,
Thiruchuli Taluk,
Virudhungar District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, calling for records pertaining to the impugned proceedings passed by the 1st respondent in Se.Mu.Na.Ka.No. 2387/A1/2023 dated 26.12.2023 and consequent order passed by the 3rd respondent in Se.Mu.Na.Ka.No.180/A1/2023 dated 26.12.2023 and quash the same and consequently directing Respondents to allow the petitioner continue her work at Seelampatti Anganwadi Centre in her residential Village.



For Petitioner : Mr.R.Narayanan

For Respondents : Mr.S.S.Madhavan
Government Advocate

ORDER

The instant writ petition has been filed by an Anganwadi worker, challenging her order of transfer to a different Anganwadi centre.

2. According to the learned Counsel appearing for the writ petitioner, the petitioner belongs to Schedule Caste and therefore, the villagers of the said locality are refusing to send their children to the Anganwadi centre and the general public of the said locality have lodged a complaint to the revenue officials to transfer the writ petitioner from the said Anganwadi centre.

3. The Tashildar, Tiruchuli has conducted a peace committee meeting and has sent a report to the District Collector, Virudhunagar District on 17.11.2023 to the effect that the caste Hindus are refusing to send their children to the Anganwadi centre and the Schedule Caste people are opposing the transfer of the writ petitioner to a different Anganwadi centre. The report clearly points out that the transfer of the writ petitioner is only based upon the caste of the writ petitioner.



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4.It is really unfortunate that the impugned order has been passed by the first respondent herein acceding to the request of the villagers for transferring the writ petitioner to a different Anganwardi, because she belongs to Schedule Caste.

5.The order of transfer has not been passed on any administrative grounds but only based upon the caste discrimination expressed by the villagers of the said locality. This practice is deprecated and the order in the impugned writ petition is hereby set aside.

6.With the above said observations, this writ petition stands allowed. No costs. Consequently, connected miscellaneous petitions are also closed.

06.09.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
RJR



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R.VIJAYAKUMAR, J.

RJR

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