



WP(MD) No.17710 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 20.02.2024

CORAM

THE HON'BLE MR. JUSTICE MUMMINENI SUDHEER KUMAR

W.P(MD)No.17710 of 2021
and W.M.P.(MD)Nos.14605 and 14606 of 2021

T.Vijayalakshmi

... Petitioner

Vs.

1.The District Collector,
Madurai District , Madurai.

2.The District Scheme Officer,
Integrated Child Welfare Scheme,
Collectorate of Madurai, Madurai District.

3.The Project Officer,
Child Development Project,
Kallikudi Union, Madurai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Certiorarified Mandamus, call for the records in pertaining to the impugned order of the 1st Respondent vide his proceedings in Se.Mu.Na.Ka.No.918/A1/2019 dated 18.02.2020 and set aside the same as illegal and consequently directing the Respondents to reinstate the petitioner in continuous service.



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WP(MD) No.17710 of 2021

For Petitioner : Mr.T.Vadivelan
For Respondents : Mr.D.Sasikumar,
Additional Govt. Pleader.

ORDER

This Writ Petition has been filed aggrieved by the proceedings in Se.Mu.Na.Ka.No.918/A1/2019 dated 18.02.2020, issued by the first respondent, dismissing the petitioner from the post of Anganwadi Assistant, after conducting a detailed enquiry as contemplated under the Rules.

2. The petitioner was initially appointed as Anganwadi Assistant through the proceedings in Na.Ka.No.1530/A1/2012, dated 06.08.2012, based upon the certificate produced by her especially the certificate showing her as studied upto 5th standard issued by the School situate at T.Arasapatti. Subsequently, it has come to the notice of the respondents that the said certificate submitted by the petitioner is a bogus certificate and accordingly, an enquiry was conducted. In the enquiry, it has emerged that the petitioner has never studied in the said School and the certificate submitted by the



petitioner is a false certificate. It is not in dispute that the said certificate produced by the petitioner is a false certificate. However, the petitioner has tried to contend that she has studied in Panchayat Union Elementary School, Nallathrai upto 5th standard but the certificate issued by the said School was lost. Therefore, she could not be produced the said certificate. Hence, she obtained certificate from the other School and produced before the respondents for securing the employment.

3. Whether the petitioner studied upto 5th standard or not is not the question that arise for consideration but the only consideration is whether the petitioner acted in a fair and transparent manner and secured the employment in accordance with law or not. Admittedly, the certificate based upon which the petitioner secured the employment is a false certificate.

4. In the light of the same, any amount of defence or reasons for producing the false certificate will not come to the aid of the petitioner to safeguard her employment. In the light of the admitted fact situation, this court does not see any error or illegality in the impugned order passed by



WP(MD) No.17710 of 2021

the first respondent. Further, there is no procedural flaw that is pointed out in passing the impugned order by the respondents. Hence, this Court does not find any merit in the Writ Petition. Accordingly, the same is dismissed. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

20.02.2024

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

vsm



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MUMMINENI SUDHEER KUMAR, J.

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