



W.P.(MD)No.14272 of 2018

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **09.09.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.(MD)No.14272 of 2018

and

W.M.P.(MD)No.12931 & 12932 of 2018

Pushparani

... Petitioner

/Vs./

- 1.The State of Tamil Nadu,
Rep. by its Secretary,
Department of Social Welfare and Nutritious Meals Programme,
Fort St.George,
Chennai – 600 009.
- 2.The District Collector,
Karur District,
Karur.
- 3.The District Programme Officer,
Karur District,
Karur.
- 4.The Child Development Project Officer,
Aravakurichi Taluk,
Karur District.
- 5.R.Dhanalakshmi



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6. The Branch Manager,
Union Bank of India,
Pallapatti Branch,
Aravakurichi Taluk,
Karur District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned order passed by the 3rd respondent in his proceedings in Na.Ka.No.1092/A1/2017, dated 05.09.2017 and quash the same and consequently direct the 3rd respondent to appoint the petitioner as Anganwadi Assistant, Seethapatti Colony, Aravakurichi Taluk, Karur District.

For Petitioner : Mr.S.Gokul Raj

For Respondents : Ms.D.Farjana Ghoushia (R1 to R4)

Special Government Pleader

Mr.R.Thangapandian (R5)

Mr.N.Dilipkumar (R6)

ORDER

This writ petition has been filed challenging the appointment of the fifth respondent as Anganwadi Assistant, Seethapatti Colony, Aravakurichi Taluk, Karur District, under the impugned order dated 05.09.2017 passed by the third respondent.



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2. Under the impugned order, the fifth respondent has been appointed as Anganwadi Assistant. The petitioner claims that by suppression of material facts, the fifth respondent has been appointed as Anganwadi Assistant under the impugned order.

3. A counter affidavit has been filed by the third respondent denying the contentions of the petitioner. They would categorically contend that only by following the terms and conditions of the recruitment notification, the fifth respondent being found to be eligible was appointed as Anganwadi Assistant under the impugned proceedings of the third respondent dated 05.09.2017. According to them, there is no illegality committed in the appointment of the fifth respondent.

4. Admittedly, pursuant to the advertisement given by the respondents seeking for appointment to the post of Anganwadi Assistant, both the petitioner as well as the fifth respondent participated in the selection process. Admittedly, the post was reserved for “Adi Dravidar community – Arunthathiar” people. Both the petitioner as well as the fifth respondent belong to the very same community.



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5. The learned counsel appearing for the petitioner drew the attention of this Court to certain documents filed along with this writ petition which includes the application submitted by the fifth respondent and he would submit that the fifth respondent had suppressed material facts and had also given false information in the said application. The alleged false information said to have been given by the fifth respondent pertains to her marital status, her residential status as well as her annual income details.

6. However, as seen from the advertisement calling for the post of Anganwadi Assistant by the respondents, the only condition for being eligible to apply for the post is that the applicant should belong to Adi Dravidar community and should be of a particular age. The respondents had also sent a communication to the fifth respondent calling for production of certain certificates / documents. Admittedly, the certificates / documents sought for by the respondents were produced by the fifth respondent and she had also participated in the interview conducted by the third respondent.



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7. The learned Special Government Pleader appearing for the official respondents would also submit that only for the purpose of data, certain irrelevant particulars were required from the fifth respondent, which were filled up by her and the particulars disclosed in those applications need not be verified for its correctness by the official respondents, as it is not the part of the essential requirements as per the advertisement issued by the official respondents calling upon the eligible persons to be appointed to the post of Anganwadi Assistant. She would also submit that the fifth respondent having satisfied the eligibility criteria and having participated in the interview and only based on merit, was appointed as Anganwadi Assistant, and so the question of interfering with the selection process does not arise.

8. This Court, after giving due consideration to the aforementioned factors, is of the considered view that since the fifth respondent has not flouted any of the terms and conditions of the recruitment notification and she has satisfied the requirement of the appointing authority by producing all the relevant documents, required



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under the recruitment notification, is not inclined to interfere with the appointment of the fifth respondent in this writ petition.

9. In the result, there is no merit in this writ petition. Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

09.09.2024

Index : Yes / No
NCC : Yes / No
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ABDUL QUDDHOSE, J.

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Order made in
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Dated:
09.09.2024