



W.P.(MD)No.23797 of 2018

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **18.09.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.(MD)No.23797 of 2018

M.Thamilarasi

... Petitioner

/Vs./

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Project Officer,
Sivagangai District,
Sivagangai.

3.The Child Development Scheme Officer,
O/o. Child Development Scheme,
Thiruppuvanam,
Sivagangai District.

4.Thamilselvi

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents no.1 to 3 to consider the petitioner's appointment to the post of Anganwadi Assistant worker in Elandhaikulam Village, Keeladi Post, Thiruppuvanam Taluk,



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Sivagangai District or other near places in Thiruppuvanam Taluk,
Sivagangai District.

For Petitioner : Mr.U.Dhanasekara Pandian
for Mr.R.Venkatesan

For Respondents : Ms.D.Farjana Ghoushia (R1 to R3)
Special Government Pleader
No appearance (R4)

ORDER

This writ petition has been filed for mandamus, seeking for a direction to the official respondents to consider the petitioner's appointment to the post of Anganwadi Assistant worker in Elandhaikulam Village, Keeladi Post, Thiruppuvanam Taluk, Sivagangai District or at nearby places in Thiruppuvanam Taluk, Sivagangai District.

2. The petitioner participated in the selection process and her grievance is that the fourth respondent was appointed as Anganwadi Assistant worker by the third respondent illegally, as according to her, she being a widow ought to have been granted priority ahead of the fourth respondent and she should have been appointed as Anganwadi Assistant worker.



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3. A counter affidavit has been filed by the second respondent before this Court denying the contentions of the petitioner as raised in this writ petition.

4. It is an undisputed fact that the fourth respondent has already been appointed to the post of Anganwadi Assistant worker, which the petitioner also seeks to be appointed. When the fourth respondent has already been appointed to the said post, the petitioner ought to have challenged the appointment order of the fourth respondent by filing appropriate legal proceedings. However, in the instant case, the petitioner has sought only for a mandamus without challenging the fourth respondent's appointment.

5. Without going into the merits of the respective contentions and only on the ground that the present writ petition is not maintainable, since the petitioner has not challenged the appointment of the fourth respondent in this writ petition, this writ petition is disposed of after recording the said fact, by granting liberty to the petitioner to challenge



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the appointment of the fourth respondent in the manner known to the petitioner under law. No costs.

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

Sm

Order made in
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