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W.P.(MD) No.18078 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD) No.18078 of 2017

and

W.M.P.(MD) Nos.14532, 14533 of 2017 & 2800 of 2018

P.Thangamari

... Petitioner

-VS-

1.The District Collector
Virudhunagar District
Virudhunagar

2.The District Programme Officer
Integrated Child Development
Scheme (ICDS) Project
Collectorate Office Complex
Virudhunagar

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus calling for the records relating to the impugned list of selected candidates dated nil affixed on the notice board of the second respondent and quash the same as unconstitutional and consequently direct the respondents herein to conduct free and fair selection



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process in filling up of Anganwadi Worker and Anganwadi Assistant under the Child Development Programme by following the rule of reservation.

For Petitioner : Mr.S.Sathya Chidambaram

For Respondents : Mr.G.Suriya Ananth
Additional Government Pleader

ORDER

This writ petition has been filed challenging the impugned selection list, dated Nil, issued by the second respondent, on the ground that the rule of reservation was not followed.

2. According to the petitioner, the selection process has been completed without earmarking the total number of seats as per the rule of reservation. She also participated in the selection for the post of Anganwadi Assistant.

3. A counter affidavit has been filed by the respondents denying the contentions of the petitioner. According to the respondents, the Selection Committee, by considering all the relevant parameters, selected one N.Radha



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and she had joined in the post of Anganwadi Assistant at the Anganwadi Centre, Sokkampatti, on 07.09.2017.

4. Learned Additional Government Pleader appearing for the respondents would submit that since the the selection to the aforementioned post was applicable for the non-priority candidates and there was no special reservation provided for the destitute widows, the contention of the petitioner raised in this writ petition is incorrect. He would further submit that the rule of reservation and 200 points roster were strictly followed by treating a district as unit as per G.O.Ms.No.142, Social Welfare and Nutritious Meal Programme Department, dated 06.07.2010 and G.O.Ms.No.55, Personnel and Administrative Reforms Department, dated 08.04.2010. He would further submit that the reservation made for each centre was duly published in the notification and hence, the petitioner was not prejudiced. He would further submit that only based on the performance of each candidate during the interview, selection was made and appointment orders were issued. He would also submit that the petitioner, without arraying 1092 candidates, who have already joined duty, has filed this writ petition. Hence, this writ petition is not maintainable for non-joinder of necessary parties.



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5. As seen from the submissions made by the learned Additional Government Pleader appearing for the respondents, which are supported by documents / Government Orders, it is clear that the selection was conducted in a fair manner. Only by following the rule of reservation, 200 points roster and G.O.Ms.No.142, Social Welfare and Nutritious Meal Programme Department, dated 06.07.2010 and G.O.Ms.No.55, Personnel and Administrative Reforms Department, dated 08.04.2010, the selection was made and since the petitioner did not pass in the interview, she was rightly not selected. This Court does not find any infirmity in the impugned selection list.

6. Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

30.08.2024

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

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To:

- 1.The District Collector,
Virudhunagar District,
Virudhunagar.

- 2.The District Programme Officer,
Integrated Child Development
Scheme (ICDS) Project,
Collectorate Office Complex,
Virudhunagar.



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ABDUL QUDDHOSE, J.

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