



W.P.(MD) No.18228 of 2017

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD) No.18228 of 2017

and

W.M.P.(MD) No.14668 of 2017

Ramalakshmi

... Petitioner

-VS-

1.The Principal Secretary /
Special Commissioner
Integrated Child Development Services
Tharamani, Chennai-13

2.The Director of Social Welfare
Chennai

3.The District Collector
Virudhunagar District
Virudhunagar

4.The District Programme Officer
Integrated Child Development Services
Virudhunagar District
Virudhunagar

5.The Child Development Project Officer
Integrated Child Development Services
Narikudi Range, Virudhunagar District

6.Pothumponnu

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of declaration to declare the appointment of sixth respondent as an Anganwadi Helper in the Kotta Kachiyendal Anganwadi Centre, Narikudi Range, Virudhunagar District, as illegal, null and void and further direct the respondents 1 to 5 herein to appoint the petitioner as an Anganwadi Helper in the Kotta Kachiyendal Anganwadi Centre, Narikudi Range, Virudhunagar District, within the stipulated period.

For Petitioner : Mr.G.Marimuthu

For Respondents : Mr.G.Suriya Ananth
Additional Government Pleader for R1 to R5
Mr.Veluchamy
for Mr.N.S.Karthikeyan for R6

ORDER

This writ petition has been filed seeking to declare the appointment of the sixth respondent as an Anganwadi Helper in Kotta Kachiyendal Anganwadi Centre, Narikudi Range, Virudhunagar District, as illegal, null and void and a further direction is sought for to the official respondents to appoint the petitioner to the said post.



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2. The petitioner claims that she being more qualified and eligible to be appointed as Anganwadi Helper on account of her age and seniority and possessing the experience required for the post of Anganwadi Helper and being a widow, the official respondents ought to have appointed her to the post of Anganwadi Helper instead of the sixth respondent, who is less qualified and less eligible and is also of lesser age.

3. Admittedly, the post for which the petitioner and the sixth respondent applied, which is the subject matter of consideration in this writ petition, is a general category non-priority post. Therefore, the question of giving preference to a widow candidate, as claimed by the petitioner in this writ petition, does not arise.

4. The official respondents have also stated in their counter affidavit that only after testing the skills of both the petitioner and the sixth respondent during the course of interview, the sixth respondent was appointed to the subject post ahead of the petitioner. The petitioner was 35 years old at the time of the selection process, whereas the sixth respondent was 22 years old. The petitioner's educational qualification is fifth standard, whereas the sixth respondent's educational qualification is tenth standard fail. Being



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Anganwadi Centre, more physical fitness is required in order to cater to the needs of the small children in the Anganwadi Centre. The official respondents have stated, in the counter affidavit, that only after testing the skills of the petitioner as well as the sixth respondent, since the subject post is a general category non-priority post, the sixth respondent was duly selected and appointed to the said post. When the subject post is a general category non-priority post and when there is no evidence produced on record to show that the sixth respondent is having lesser skill for being appointed to the post of Anganwadi Helper than that of the petitioner herein, the question of entertaining this writ petition does not arise.

5. For the foregoing reasons, this Court does not find any merit in this writ petition. Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

30.09.2024

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

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- 3.The District Collector,
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Virudhunagar.
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ABDUL QUDDHOSE, J.

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