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W.P.(MD) No.18229 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD) No.18229 of 2017

and

W.M.P.(MD) No.14669 of 2017

Nagalakshmi

... 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



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

6.Naneeswari

... Respondents

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 Worker in Rajagopalapuram Anganwadi Centre, Tiruchuli Range, Virudhunagar District, as illegal, null and void and further direct the respondents 1 to 5 herein to appoint the petitioner as an Anganwadi Worker in the Rajagopalapuram Anganwadi Centre, Tiruchuli 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 Worker in Rajagopalapuram Anganwadi Centre, Tiruchuli Range, Virudhunagar District,



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as illegal, null and void and a further direction is sought for to the official respondents to appoint the petitioner to the said post.

2. The petitioner claims that she is more eligible than the sixth respondent for being appointed to the post of Anganwadi Worker. The petitioner further claims that since her educational qualification of twelfth standard is better than the educational qualification of the sixth respondent, who is having the educational qualification of tenth standard, she ought to have been appointed as Anganwadi Worker instead of the sixth respondent. The petitioner also claims that the sixth respondent was 29 years old, whereas the petitioner was 35 years old at the time of the selection process and she being elder than that of the sixth respondent, she ought to have been given preference in the appointment.

3. The subject post is the Anganwadi Worker, who is required to take care of the small kids in the Anganwadi Centre. Admittedly, the petitioner and the sixth respondent have satisfied the educational qualification requirements as per the recruitment notification. Both of them belong to M.B.C.Category. The subject post was to be filled only by the M.B.C.Category



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candidates. An interview was conducted on 22.08.2017 by the fifth respondent and both the petitioner as well as the sixth respondent participated in the said interview. Only based on the interview conducted by the fifth respondent on 22.08.2017 and after testing the skills of both the petitioner and the sixth respondent, the respondents 4 and 5 have selected the sixth respondent for the post of Anganwadi Worker.

4. For the subject post, special skills are required, since Anganwadi Workers will have to take care of small kids in the Anganwadi Centres. There is no evidence placed on record by the petitioner to prove that the petitioner is better skilled than that of the sixth respondent, who is more suitable for taking care of the kids in the Anganwadi Centre. While that be so, when the official respondents have made a categorical statement in their counter affidavit that only after testing the skills of both the petitioner and the sixth respondent through an interview on 22.08.2017, it was found that the sixth respondent is more suitable than that of the petitioner for being appointed to the post of Anganwadi Worker, the question of entertaining this writ petition does not arise.



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5. In the result, there is no 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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To:

- 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.
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ABDUL QUDDHOSE, J.

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