



W.P.No.12786 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.02.2025

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.No.12786 of 2018 and
WMP.No.15006 of 2018

P.Muthumani

... Petitioner

Vs.

1. The District Collector,
Krishnagiri District.

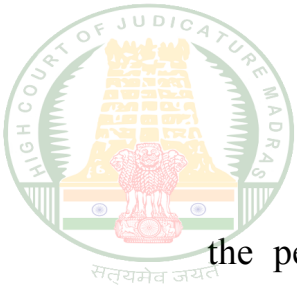
2. The Director-cum-Mission Director,
Integrated Child Development Service Scheme,
No.1, Pammal Nallathambi Street,
Taramani, Chennai 600 113.

3. The District Project Officer,
Integrated Child Development Service Scheme,
Collectorate, Krishnagiri District.

4. V.Govindammal

... Respondents

PRAYER: Writ 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 appointment order passed by the third respondent in Se.Mu.Na.Ka.No.1285/Aa1/2017, dated 18.04.2018 issued to the fourth respondent and quash the same as being illegal, arbitrary, unconstitutional and consequently direct the third respondent to appoint



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the petitioner for the post of Anganwadi Worker at Panai Oosadodi Centre, Anchety Panchayat, Denkanikottai Taluk, Krishnagiri District.

For Petitioner : Mr.T.Sundaravadanam

For Respondents : Mr.T.Chezhiyan,
Additional Government Pleader for R1 - R3
No appearance for R4

ORDER

This petition has been filed to quash the appointment order passed by the third respondent in Se.Mu.Na.Ka.No.1285/Aa1/2017, dated 18.04.2018 issued to the fourth respondent and consequently direct the third respondent to appoint the petitioner for the post of anganwadi worker at Panai Oosadodi Centre, Anchety Panchayat, Denkanikottai Taluk, Krishnagiri District.

2. Heard Mr.T.Sundaravadanam, learned counsel for the petitioner, Mr.T.Chezhiyan, learned Additional Government Pleader for R1 to R3 and perused the materials available on record.

3. It is the case of the petitioner that she hails from a poor family



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and living below the poverty line. The petitioner belongs to Most Backward Class Community and she studied up to 10th standard. The third respondent issued a notification dated 23.08.2017 for the post of anganwadi worker in Panai Oosadodi Centre, Anchety Panchayat, Denkanikottai Taluk, Krishnagiri District. The petitioner is residing within 2 kms. from the said Centre and she applied for the post of noon meal anganwadi worker for the Panai Oosadodi Centre. The petitioner also attended the interview on 05.09.2017 in the office of the Child Development Project Officer at Thalli. The petitioner is fully eligible to be appointed for the said post, but all of a sudden on 18.04.2018 the fourth respondent was selected to the said post, who aged about 25 years and junior to the petitioner. Further, the fourth respondent is residing 6 kms. away from the centre, which is against the stipulated distance of 3 kms.

4. Therefore, the petitioner made representations dated 21.04.2018 & 07.05.2018 to the respondents to set aside the appointment of the fourth respondent and provide appointment to her. The same has not been considered and hence, the present Writ Petition.



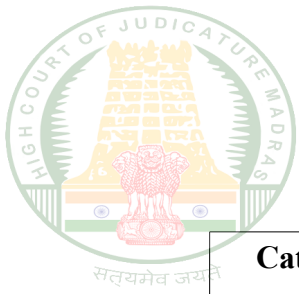
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5. The third respondent has filed a counter affidavit stating that the Government has issued elaborate guidelines vide G.O.Ms.No.110, Social Welfare Nutrition Meal Program Department, dated 14.05.2012 regarding appointment of anganwadi workers, mini anganwadi workers and anganwadi helpers. As the Thalli Block is notified as hilly area, the minimum age for candidates in hilly areas is reduced by 5 years i.e, 25-5 =20 years. At the time of selection, the fourth respondent was aged about 24 years and hence, she is eligible to be considered for the said post as per the said Government Order.

6. It is stated that upon interview, the marks secured by the writ petitioner and the fourth respondent are given below:

Category	Writ Petitioner/ Muthumani		Fourth Respondent/ Govindammal	
		Marks		Marks
Age	04.03.1987 (30 age)	5	06.04.1993 (24 age)	5
Education	SSLC	5	SSLC	5
Residence	1.5 km	3	1 km	4
No. of Children	2 (both are female)	3	2	2
Oral Interview		0		5



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Category	Writ Petitioner/ Muthumani		Fourth Respondent/ Govindammal	
Total		16		21

7. It is further submitted that in the oral interview, it is found that the fourth respondent had better knowledge and understanding about the purpose and working of Anganwadi Centres. Since the fourth respondent's practical knowledge in handling children was higher than that of the petitioner and other candidates, she was awarded 5 marks, which is higher than the petitioner, who secured nil marks in the oral interview.

8. It is also submitted that the fourth respondent is residing just 1 km away from the Centre, which is evident by the Aadhar Card produced by the fourth respondent, and the same is well within the permissible limit as per the said G.O. Hence, the fourth respondent was appointed to the said post.

9. The only grievance of the petitioner is that despite her residence is nearer in distance than the fourth respondent, the fourth respondent has been given preference in the appointment process. The fourth respondent has stated that she is residing in just one kilometer from Panai Oosadodi

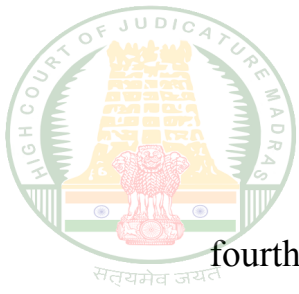


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Centre. However, from the report submitted by the Assistant Engineer, Highways Department, it is learnt that the fourth respondent's residence is 6 kms, if travelled through tar road and it is 5.8 Kms, if travelled through sand road.

10. Though the petitioner has made out a point that the fourth respondent does not reside within the radius of 1 km as claimed by her, that alone cannot be the reason to set aside the appointment order issued to the fourth respondent. The petitioner and the fourth respondent presumed their distance between their residence and the centre by their own imagination and they did not measure the distance exactly through any process. So, the approximation by imagination cannot be taken as an intentional disregard for the Court stating an intentional wrong facts pleaded before this Court.

11. The selection process also involves interview and the fourth respondent appears to have got five marks in the interview and the petitioner did not get any marks. Even if the marks allotted to the fourth respondent for the distance factor is reduced by 1 or 2 marks, still the total marks secured by the petitioner cannot be higher than that of the



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fourth respondent. Hence, I do not find any comprehensive reasons to set aside the order of appointment issued to the fourth respondent. However, the petitioner can try her luck when any future vacancies arise.

12. In the result, this Writ Petition is dismissed. No costs.

Consequently, connected miscellaneous petition is closed.

Index : Yes /No

24.02.2025

Speaking / Non-speaking

Neutral Citation : Yes / No

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R.N.MANJULA,J.

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To

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