



WEB COPY



WP.No.18907 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2025

CORAM

THE HONOURABLE MS. JUSTICE R.N.MANJULA

W.P No.18907 of 2018

and

WMP.Nos.22292 & 22293 of 2018

V.Anandhi
W/O.Mani
Balajangamanahalli
Nallampalli
Dharmapuri

...

Petitioner

Vs.

- 1.The District Programme Officer (ICDS),
Dharmapuri District, Dharmapuri.
2. Child Development Project Officer,
Nallampalli Block, Dharmapuri District.
3. Tmt. S.Komathi,
W/o.Janarthanan,
2/482, Thokkampatti (vill)&(po),
Dharmapuri.

...

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned order of the first respondent in Se Mu.Na.Ka. No.539/A1/2017 dated



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09-02-2018 and quash the same and direct the first respondent to appoint the Petitioner as Mini Anganwadi Worker, in the Anganwadi Centre, Vethalakaranpallan, Vallampalli Taluk, Dhernapati District in the place of the third respondent with effect from the date of the impugned order.

For Petitioner : Mr.P.Mohanraj

For Respondents : Mr.T.Chezhiyan, AGP for RR1 & 2
: No appearance for R3

ORDER

This Writ Petition has been filed by the petitioner seeking a Writ of Certiorarified Mandamus challenging the appointment of the 3rd respondent to the post of Mini Anganwadi Worker through the impugned order of the 1st respondent dated 09.02.2018 in Se.Mu.Na.Ka. No.539/A1/2017 dated 09-02-2018 and quash the same and direct the first respondent to appoint the petitioner as Mini Anganwadi Worker in the mini Anganwadi Centre, Vethalakaranpallan, Vallampalli Taluk, Dhernapati District.

2.Heard, Mr.P.Mohanraj, learned counsel for the petitioner, Mr.T.Chezhiyan, learned Additional Government Pleader for respondents 1 and 2 and perused the materials available on record.

3. The petitioner is fully qualified for appointment to the post of Mini



Anganwadi Worker. As per Government Order G.O.Ms.No.110, Social Welfare and Nutritious Meal Programme Department SW(7), dated 14.05.2012, an applicant for the post of Mini Anganwadi Worker must be a resident of the same hamlet. Only if no candidate from the same hamlet is available, candidates from neighboring hamlets within the same panchayat, located within a radius of 10 kilometers, shall be considered for appointment.

3.1. The petitioner, who also applied for the post, resides within 10 kilometers and is eligible for appointment as a Mini Anganwadi Worker. The interview was scheduled for 12.09.2017, during which the petitioner appeared and submitted the relevant certificates. However, the 1st respondent appointed the 3rd respondent through the impugned order dated 09.02.2018, despite the fact that she does not reside within the prescribed radius of 3 kilometers as per the government order.

4. The learned counsel for the petitioner further submitted that the petitioner is entitled to a 3% reservation under the category of differently-abled



persons, but the same was not considered.

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5. The learned Additional Government Pleader for respondents 1 and 2 submitted that, although the petitioner is a physically challenged person, her disability exceeds the maximum permissible limit of 40% and, therefore, she was found ineligible for appointment. It was further submitted that the center for which the appointment was made is not classified as a priority center for considering appointments under the physically challenged category.

6. The petitioner did not dispute the fact that her disability exceeds 40%. It is not claimed by the petitioner that the centre for which she has applied the post comes under the priority category. Regarding the distance factor, the 3rd respondent is had to be residing within 5 kilometers of the center. As per G.O.Ms.No.110, Social Welfare and Nutritious Meal Programme Department SW(7), dated 14.05.2012, if eligible candidates are not available, candidates from neighbouring panchayats located within 10 kilometres may be considered for appointment. Since the petitioner was found ineligible, the first respondent



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proceeded to appoint the next eligible candidate, who resides within the 10-kilometre limit as prescribed by the government order. As the appointment of the 3rd respondent does not suffer from any illegality, I find no reason to set it aside.

In the result, the Writ Petition stands **dismissed**. No costs. Consequently, the connected Miscellaneous Petition are also closed.

07.02.2025

Index : Yes
Internet : Yes/No
Speaking/Non- Speaking
Neutral: Yes/No
jrs



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To

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Dharmapuri District, Dharmapuri.
2. Child Development Project Officer,
Nallampalli Block, Dharmapuri District.



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R.N.MANJULA, J.
jrs

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