



WEB COPY

WP No. 27354 of 2018



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-03-2025

CORAM

THE HONOURABLE MS JUSTICE R.N.MANJULA

WP No. 27354 of 2018

1. Mullaikodi

No.32/80, Nadumalai South, Nadumalai
Estate, Velparai Taluk, Coimbatore
District. Coimbatore

Petitioner(s)

Vs

1. The Child Development Project
Officer (concerned)
P.A.P. Colony, Public Works
Department, Valparai, Coimbatore
District.Coimbatore

2.The District Collector,
Coimbatore District, Coimbatore.

3.Shyamala
Nadumalai South Division Children
School (Creech), Valparai, Coimbatore
District.

Respondent(s)



PRAYER : Writ Petition is filed to issue a Writ of certiorarified Mandamus to call for the records of the 1st respondents order vide Se.Muka.No. 1278/A1/2017 dated .02.2018 and quash the same consequently direct the 1st respondent to appoint the petitioner as Mini Anganwadi Worker at Nadumalai South Division at Children Creech School at Valparai Taluk, Coimbatore District.

For Petitioner(s): M/s.V.Chinnasamy

For Respondent(s): Mr.T.Chezhian,
Agp

ORDER

The writ petition has been filed challenging the order passed by the 1st respondent vide Se.Muka.No. 1278/A1/2017 dated .02.2018 and to direct the 1st respondent to appoint the petitioner as Mini Anganwadi Worker at Nadumalai South Division at Children Creech School at Valparai Taluk, Coimbatore District.

2. The petitioner has been called for to attend the interview for the post of Mini Anganwadi Worker by the first respondent on 26.08.2017. Thereafter the



petitioner did not receive any communication from the first respondent. On enquiry the petitioner came to know that an another person who come from 7 kms away from the Nadumalai South Division has been selected and was given with appointment.

3. Mr.V.Chinnasamy, the learned counsel for the petitioner, submitted that the petitioner's residence is situated within 3 kms from the Nadumalai South Division for which the appointment is made. It is claimed that the first respondent had not considered the petitioner's candidature and instead he had chosen to appoint the third respondent whose residence is situated 7 kms away from the Nadumalai South Division.

4. On perusal of the records it is seen that the third respondent is a widow who has studied 12th standard stands with a better qualification than the petitioner. The records would also show that the third respondent's residence is 7 km away from the Nadumalai South Division and the petitioner's residence is within 3 kms with the Nadumalai South Division. However, no marks have



been awarded in the documents showing the selection process. But on the face of it the third respondent has got a higher qualification than the petitioner.

5. Both the petitioner and the third respondent have applied to the post of Village Secretary but the third respondent is found to be standing in a better position for consideration. Since the third respondent falls under the special reservation, the petitioner is fundamentally wrong in competing with the third respondent in the matter of appointment.

6. The records would also show some interesting fact that the first respondent did not offer any marks to the first three candidates which is inclusive of the petitioner and the third respondent. With regard to third respondent's residential status it might be 7 kms away from Nadumalai South Division, but her educational qualification is seen to have better suited to the position for which the interview is conducted. As the distance may be one of the several factors for considering the applications of the applicants, that cannot be taken as the only factor which determine the selectees for the said post. As the



third respondent is found to have got a better age in other qualification, the first

respondent is appears to have chosen her to the post of Mini Anganwadi

Worker.

7. Now it is learnt from the submission of learned Additional Government Pleader that there are some vacancies for which notification would be issued soon. In such case it is open to the petitioner to apply for the post and participate in the interview and thereafter prove her merit.

8. In the result, the writ petition is disposed by giving liberty to the petitioner to apply for the post which is going to be issued by the first and second respondents with regard to the post of 'Mini Anganwadi Worker' and participate in the interview and thereafter prove her merit. No costs.

26-03-2025

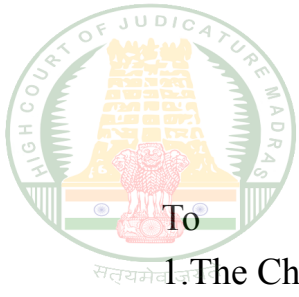
Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

1.The Child Development Project

Officer (concerned)

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