

W.P(MD)No.20037 of 2019

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.08.2025

CORAM :

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

W.P.(MD)No.20037 of 2019

and

W.M.P.(MD)Nos.16555 and 16556 of 2019

S.Kavitha

...Petitioner

Vs.

1.The District Collector,
Madurai District @ Madurai.

2.The Integrated Child Development
Scheme Officer,
Office of the Integrated Child Development Scheme,
K.K.Nagar,
Madurai-625020.

3.G.Sathiya

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, calling for the records from the first respondent in his proceedings in ந.க.எண். 1949/2017/அ1 dated 03.06.2019 and quash the same and consequently direct the respondents 1 and 2 to appoint the petitioner as Anganwadi



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Worker in Centre No.113, Kinnimangalam Kalamankovil street,
Thirumangalam Taluk, Madurai District by considering her
representation dated 08.07.2019.

For Petitioner : Mr.N.Sathish Babu

For Respondents : Mr.N.Satheesh Kumar
Additional Government Pleader for R1 & R2

Mr.H.Mohammed Imran
for M/s.Ajmal Associates for R3

ORDER

The Writ Petition has been filed challenging the appointment of the third respondent to the Post of Anganwadi Worker under the impugned order dated 03.06.2019 passed in Na.Ka.No.1949/2017/A1 by the first respondent and consequential direction to the respondents 1 and 2 to appoint the writ petitioner as Anganwadi Worker in Centre No.113, Kinnimangalam Kalamankovil Street, Thirumangalam Taluk, Madurai District.

2. A notification was issued in 2017 to fill up the vacancy in the Post of Anganwadi Worker in Madurai District by direct recruitment. Totally 10 candidates, including the writ petitioner and the third



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respondent have applied for the Post of Anganwadi Worker in Kinnimangalam Kalamankovil Street Centre, Thirumangalam Taluk, Madurai District. All the applicants were called for an interview on 06.09.2017. Both the writ petitioner as well as the third respondent participated in the interview. Subsequently, the third respondent was appointed. Hence, the writ petitioner has challenged the appointment order of the third respondent on the following grounds:-

- (i) since the third respondent's husband is working as Panchayat Secretary at Sorrikkampatti Panchayat, Thirumangalam Panchayat Union, Thirumangalam, Madurai District, the third respondent is not eligible to be appointed as Anganwadi Worker as per the recruitment notification;
- (ii) the writ petitioner is more suitable for being appointed to the Post of Anganwadi Worker than the third respondent; and
- (iii) the petitioner resides much nearer to the Anganwadi Centre compared to the third respondent.

3. A counter affidavit has been filed by the second respondent denying the contentions of the writ petitioner.



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4. The learned counsel appearing for the writ petitioner would submit that though the third respondent's husband is working as a Panchayat Secretary in the Panchayat office, the third respondent, by suppressing the same, in her application mentioned that no one in her family is in Government Service. He would further submit that the writ petitioner is residing within 1 km radius of the Centre.

5. The learned Additional Government Pleader appearing for the respondents 1 and 2 would submit that there is no disqualification for a person whose family member is a Government servant to apply for the said post and at the time of recruitment process, the third respondent's husband was working as a part time Panchayat Clerk in the Panchayat Office on consolidated pay. He would further submit that the writ petitioner is residing within 1 km radius of the Anganwadi Centre, whereas, the third respondent is residing within ½ km radius of the Anganwadi Centre. Hence, the third respondent is more suitable to that of the writ petitioner for the post of Anganwadi Worker and therefore, the appointment order need not be interfered with.



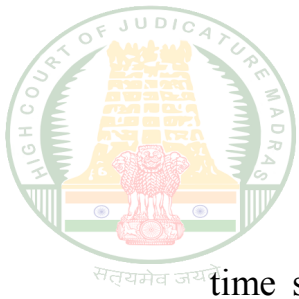
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6. I have considered the arguments advanced on both sides and have perused the materials available on record.

7. Though the application contains a clause requiring the applicant to disclose as to whether any of the family members are working in Government services, the notification issued does not disqualify an applicant, whose husband or other family members are working in the Government services. Since there is no rule prohibiting the relatives of the Government servant from participating in or being selected for the Post of Anganwadi Worker, the claim of the writ petitioner that the third respondent would not have been appointed or is ineligible to be appointed to the post of Anganwadi Worker is not sustainable.

8. Admittedly, the selection process for the post of Anganwadi Worker was initiated in the year 2017 and the applicants were called for direct interview on 06.09.2017. According to the second respondent, at the time of selection process, the third respondent's husband was working only on consolidated pay as a part time Panchayat Clerk and subsequently, his service was regularized and he was placed in regular



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time scale of pay in the year 2018. Hence, there is no impediment in appointing the third respondent.

9. Even according to the writ petitioner, the writ petitioner is a native of some other village, which is situated 1 km from the Centre but whereas, the third respondent is residing within $\frac{1}{2}$ km radius of the Centre in the same village and as such, the third respondent is more suitable for being appointed to the Post of Anganwadi Worker than the writ petitioner.

10. Considering the above, this Court is of the considered opinion that the writ petitioner has failed to establish any acceptable legal grounds for setting aside the appointment order issued by the first respondent in favour of the third respondent. Hence, this Writ Petition stands dismissed. Consequently, connected Miscellaneous Petitions are closed. No costs.

25.08.2025

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



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K.RAJASEKAR, J.

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Order made in
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