



W.P.(MD)No.21179 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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RESERVED ON : 27.01.2025

DELIVERED ON : 29.01.2025

CORAM:

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

W.P.(MD)No.21179 of 2017

and

W.M.P(MD)Nos.17446 & 17447 of 2017

Sankareswari,
W/o.Velusamy,
Door No.3/323,
Karpaga Nachiammal Kovil Street,
Thiruvettanallur,
Thirunelveli District.

... Petitioner

Vs.

1.The District Collector,
Collectorate Office,
Tirunelveli District.

2.The District Planning Officer,
District Planning Office,
Collectorate,
Tirunelveli District.

3.The Child Development and Planning Officer,
Sankarankovil Block,
Tirunelveli District.

4.Rameswari @ Rajeswari,
D/o, Duraipandian,
92/93/1, Sakthi Vinayagar Kovil Street,
Punnaiyapuram Post,
Tenkasi,
Tirunelveli District.

... Respondents



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Prayer in W.P(MD)No.21179 of 2017 : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for records pertaining to the impugned order of the 1st respondent in SE.MU.NA.KA.No.767/A1/2017-3, dated 20.09.2017 and quash the same and consequently directing respondents to appoint the petitioner for the post of Anganwadi Worker in Thiruvettanallur Anganwadi Centre No.II (33623150327) and pass such further or other orders as this Court may deem fit and proper for the circumstances of the case.

Prayer in W.M.P(MD)No.17446 of 2017 : Writ Miscellaneous Petition filed under Article 226 of the Constitution of India, praying this Court to dispense with the production of original impugned order passed by the 1st respondent in SE.MU.NA.KA.No.767/A1/2017-3, dated 20.09.2017.

Prayer in W.M.P(MD)No.17447 of 2017 : Writ Miscellaneous Petition filed under Article 226 of the Constitution of India, praying this Court to grant an order of interim injunction restraining the respondents from appointing the 4th respondent to the post of Anganwadi Worker in Thiruvettanallur Anganwadi Centre No.II (33623150327) till the disposal of this writ petition.

For Petitioner : No Appearance

For R1 – R3 : Mr.S.R.A.Ramachandran

Additional Government Pleader



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ORDER

Heard both sides.

2. The petitioner challenges the appointment of the 4th respondent as Anganwadi Worker in Thiruvettanallur Anganwadi Centre No.II by 1st respondent by his order in SE.MU.NA.KA.No.767/A1/2017-3, dated 20.09.2017. The petitioner stated in her affidavit that the appointment was made in violation of G.O.Ms.No.110 dated 14.05.2012. Conversely, the respondent side contended that the appointment adhered to the said Government Order.

3. It was further stated by the respondents that out of five candidates interviewed by the selection board—comprising representatives from various departments selected - the 4th respondent was selected, and accordingly, orders were issued. Initially, the 4th respondent's name was mistakenly typed as “Rajeswari” instead of “Rameswari”, but the error was subsequently corrected.



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4. The primary contention of the petitioner is that the selection process did not follow the distance criteria specified in the Government Order. However, the counter affidavit filed by the 3rd respondent stated that the address furnished by the 4th respondent in her application, 3/252 B, Kaniyan Koil Street, Thiruvettinallur is located within one-kilometre from the Anganwadi Centre. In the petition, 4th respondent's address is given differently at Tenkasi address and the 4th respondent is a permanent resident of Kadayanallur Taluk which is far away from the Thiruvettanallur Anganwadi Centre. Despite alleging that the 4th respondent secured the appointment through undue influence, the petitioner failed to prove that the address provided by the 4th respondent is not true.

5. In this context, by an order dated 20.12.2024, this Court directed the Government Pleader to produce the family card of the 4th respondent. Accordingly, an additional typeset included a copy of the ration card for the 4th respondent. The respondent's name appears on the ration card as per proceeding No.3583 of 2014, dated 11.10.2014, and her residential address is listed as 3/68, South Street, Thiruvettanallur, Tirunelveli District. Her name was likely added to the ration card following her



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marriage. The same address is also noted in her voter ID. The petitioner has submitted a nativity certificate and an income certificate, all of which also indicate the Thiruvettanallur address. The Tenkasi Taluk address for the 4th respondent provided by the petitioner in the application likely reflects the residential address of the 4th respondent's parents before her marriage. The application for the position was submitted on August 28, 2017. As of that date, the 4th respondent was residing in Thiruvettanallur and was therefore qualified to apply.

6. Based on the facts presented, the Court finds no grounds to intervene in the appointment of the 4th respondent. Consequently, the Writ Petition is dismissed, with no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

29.01.2025

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

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DR.A.D.MARIA CLETE, J.
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