



IN THE HIGH COURT OF KARNATAKA,AT DHARWAD

DATED THIS THE 17TH DAY OF NOVEMBER, 2025

PRESENT

THE HON'BLE MR. JUSTICE S G PANDIT

AND

THE HON'BLE MRS JUSTICE GEETHA K.B.

WRIT PETITION NO.103160 OF 2025 (S-KAT)

BETWEEN:

RAJU TUKARAM YALLURKAR,
S/O. TUKARAM YALLAURKAR,
AGE: 44 YEARS,
OCC: ASST. TEACHER AT
MHPS MATCHE, BELAGAVI,
R/O. DHAMANE-3,
DIST.BELAGAVI PIN-590001.

...PETITIONER

(BY SRI. ANAND R. KOLLI, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
REPRESENTED BY PRINCIPAL SECRETARY,
DEPARTMENT OF SCHOOL EDUCATION
AND LITERACY,
M.S.BUILDING,
BENGALURU PIN-560001.
2. THE COMMISSIONER OF PUBLIC
INSTRUCTION,
DEPARTMENT OF SCHOOL EDUCATION
AND LITERACY,



NEW PUBLIC OFFICE, NEAR RBI,
NRUPATHUNGA ROAD,
BENGALURU-560001.

3. THE ADDITIONAL COMMISSIONER
DEPARTMENT OF SCHOOL
EDUCATION AND LITERACY
RODDA ROAD,
DHARWAD PIN-580001.
4. JOINT DIRECTOR AND DIVISIONAL
SECRETARY,
BOARD OF SCHOOL EXAMINATION
AND EVALUATION,
DEPARTMENT OF SCHOOL EDUCATION,
BELAGAVI DIVISION,
BELAGAVI PIN-590001.
5. THE DEPUTY DIRECTOR,
DEPARTMENT OF SCHOOL EDUCATION,
BELAGAVI DISTRICT,
BELAGAVI-PIN-590001.
6. THE BLOCK EDUCATION OFFICER
RURAL DIVISION CHAVAT GALLI,
BELAGAVI PIN-590001.

...RESPONDENTS

(BY SRI. SHARAD V. MAGADUM, ADVOCATE)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF CONSTITUTION OF INDIA, PRAYING TO ISSUE A WRIT OF NATURE OF CERTIORARI QUASHING THE IMPUGNED ORDER PASSED BY THE KARNATAKA STATE ADMINISTRATIVE TRIBUNAL BEARING APPLICATION NO.10954/2024 DATED. 05.12.2024 MARKED AS ANNEXURE-A IN THE INTEREST OF JUSTICE AND EQUITY.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:



CORAM: THE HON'BLE MR. JUSTICE S G PANDIT
AND
THE HON'BLE MRS JUSTICE GEETHA K.B.

ORAL ORDER

(PER: THE HON'BLE MR. JUSTICE S G PANDIT)

The petitioner-Assistant Teacher of School Education and Literacy Department is before this Court under Article 226 of the Constitution of India questioning the order dated 05.12.2024 in Application No.10954/2024 passed by the Karnataka State Administrative Tribunal at Belagavi (for short, 'the Tribunal'), whereunder, the petitioner's challenge to Official Memorandum dated 03.07.2024 posting the petitioner to RMSA Government High School, Mattiwade, Nippani Taluk, Belagavi District is rejected.

2. Heard learned counsel, Sri.Anand R Kolli for petitioner and learned Additional Government Advocate, Sri.Sharad V Magadum for respondent-State. Perused the entire writ petition papers.

3. It is submitted that the petitioner was selected and appointed as Assistant Teacher to teach in Marathi Schools in



Marathi PCM subject. Earlier, the petitioner was posted to Government High School, Kadabi, Saundatti Taluk to teach, under Memorandum dated 23.09.2023. The said Memorandum was the subject matter of Application No.10531/2023. The Tribunal, by order dated 12.07.2023, directed to provide a posting to the petitioner in an available Marathi Medium School in Belagavi District. The said order was challenged by the State authorities before this Court in W.P. No.100706/2024, which was dismissed.

4. Thereafter, under Official Memorandum dated 03.07.2024 (Annexure-A11), the petitioner is provided posting as Assistant Teacher, Grade-II, Science (Marathi) to RMSA Government Marathi High School, Matttiwade, Nippani, Belagavi District. Questioning the said order of posting, the petitioner was before the Tribunal in Application No.10954/2024. The Tribunal under impugned order dated 05.12.2024, dismissed the application against which the petitioner is before this Court.



5. Learned counsel, Sri. Anand R.Kolli, would submit that the posting of the petitioner under the impugned Official Memorandum dated 03.07.2024 is opposed to the Notification dated 09.06.2020 i.e., the Karnataka State Civil Services (Regulation of Transfer of Teachers) Rules, 2020 (for short, 'the Transfer Rules'). Learned counsel would also submit that the same is opposed to the Notification dated 29.07.2022 (Annexure-D). Further, learned counsel would submit that the petitioner's wife is working at Khanapur as an Assistant Teacher, whereas the petitioner is posted to Nippani which is more than 91 Kms. Thus, the learned counsel would submit that the posting is liable to be set aside and the petitioner is to be continued at his earlier posting.

6. Per contra, learned Additional Government Advocate would submit that the earlier order of the Tribunal is complied and, in compliance of the said order, the petitioner has been given posting to Nippani in Marathi medium school. Further, learned AGA would submit that the petitioner participated in the counseling and the petitioner had chosen



the place and the respondents have provided posting to the petitioner to a place selected by him. Hence, learned AGA submits that the petitioner cannot question the posting provided to him under the impugned official memorandum. Thus, he would pray for dismissal of the writ petition.

7. Having heard the learned counsel for the parties and on perusal of the entire writ petition papers, we are not inclined to interfere with the impugned order passed by the Tribunal as well as the impugned official Memorandum providing posting to the petitioner as an Assistant Teacher, Grade-II, Science (Marathi) to RMSA Government Marathi High School, Mattti Wade, Nippani Taluk, Belagavi District.

8. It is seen that, earlier, when the petitioner was posted to Kannada Medium High School, the same was subject matter of Application Nos.10531 to 10538 of 2023 before the Tribunal and the Tribunal, by order dated 12.07.2023, directed the State authorities to provide posting as Assistant Teacher to schools of Marathi medium in Belagavi District only. Accordingly, Official Memorandum (Annexure-A11), dated



03.07.2024 is issued providing posting to the petitioner to a Marathi medium high school. The contention is that, only in terms of Rule 14 of the Transfer Rules, which provides for rationalization of teachers within Taluk and within Districts, the petitioner can be provided posting. The said contention cannot be accepted. It is for the authorities to take up the process of rationalization of teachers within the Taluk and within the district for the purpose of transfer, and if the petitioner is provided posting within district, the petitioner cannot have any grievance. Any violation of Rule 14 of Transfer Rules would not give a right to the petitioner to challenge the transfer or posting on the said ground. However, the petitioner is given posting to a Marathi medium high school as directed by the Tribunal in its earlier order. No fault could be found with the official memorandum dated 03.07.2024 providing posting to the petitioner to RMSA Government Matti High School, Mattiwade, Nippani Taluk, Belagavi District.



9. When the petitioner has contended that his wife is working at Khanapur, it is open for the petitioner to make such representation and such request be considered by the authorities in accordance with the provisions of the Karnataka State Civil Services (Regulation of Transfer of Teachers) Act, 2020 and the Rules made thereunder i.e., Transfer Rules.

With the above, writ petition stands disposed of.

Pending interlocutory applications, if any, stand disposed of as not surviving for consideration.

**Sd/-
(S G PANDIT)
JUDGE**

**Sd/-
(GEETHA K.B.)
JUDGE**