

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

MONDAY, THE TWENTIETH DAY OF JULY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE K. SARATH

WRIT PETITION NO: 17797 OF 2026

Between:

E. Parwathalu,, S/o. E. Neeranjana, age 49 years, Occ- STO, Sanga Reddy,
R/o. LIG 222, H.No.8-91, Vidyanagar Colony, near Govt. High School,
Pothireddy, Sangareddy Dist. 502 295

...PETITIONER

AND

1. The State of Telangana, by its Principal Secretary, Finance (HRM.I) Department Secretariat, Hyderabad, Telangana.
2. The Director of Treasuries and Accounts, Department, Government of Telangana, Hyderabad.
3. The Dy. Director,, District Treasuries Office, at Sangareddy District, Telangana State.
4. The Asst. Treasury Office,, Divisional Sub-Treasury Office, Shadnagar, RR District,

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue writ, order or directions more one, in the nature of Writ of Mandamus, declaring the action of the respondents in not disposing of the application of the petitioner dated 01.06.2026 to reconsider the transfer orders in respect of the petitioner vide No.A1/53697/2026/STO-6, dated 30.05.2026, for retention of the petitioner in the present post at DTO, Sangareddy District, by adhering the preferential category 6(C) of G.O.Ms.No.38 Finance (HRM.I) Department, dated 21.04.2026 read with circular memo No.541/Ser.Wel.A1/94-1, dated 15.09.1994 and

circular memo No.20914/SW.1/A2/2012-1, dated 26.06.2012. as illegal, arbitrary, violative to its own proceedings, and against Articles 14, 16, 21 of Constitution of India, and consequently, set aside the transfer orders in so far as the petitioner is concerned, vide No.A1/53697/2026/STO-6, dated 30.05.2026, directing the respondents to retain the petitioner in the present post at Sanga Reddy District, as it is still vacant.

I.A. NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents to consider the application dated 01.06.2026 of the petitioner for transfer under preferential category 6(C) of G.O.Ms.No.38 Finance (HRM.I) Department, dated 21.04.2026 read with circular memo No.541/Ser.Wel.A1/94-1, dated 15.09.1994 and circular memo No.20914/SW.1/A2/2012-1, dated 26.06.2012, for retention in the present post at DTO, Sanga Reddy District, pending disposal of the present writ petition

Counsel for the Petitioner: Sri. Vonjari Raja Shekar Reddy Venkat Ram Reddy

Counsel for the Respondents: SRI S.SUMAN, GP FOR SERVICES III

The Court made the following: ORDER

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

THE HON'BLE SRI JUSTICE K. SARATH

WRIT PETITION No.17797 of 2026

DATE: 20.07.2026

Between:

E. Parwathalu.

...Petitioner

AND

The State of Telangana, Rep. by its Principal Secretary,
Finance (HRM.I) Department and others.

...Respondents

ORDER:

Heard Sri Vonjari Raja Shekar Reddy Venkat Ram Reddy, learned counsel for the petitioner, Sri S. Suman, learned Government Pleader for Services-III appearing for the respondents and perused the material on record. With their consent, this Writ Petition is taken up for disposal at the stage of admission itself.

2. Learned counsel for the petitioner submits that this Writ Petition is filed questioning the action of the respondents in

transferring the petitioner from the District Treasury Office, Sangareddy to the Divisional Sub-Treasury Office, Shadnagar, Ranga Reddy. *vide* transfer proceedings issued by the respondent No.2 in Procs.No.A1/5697/2026/STO-6 dated 30.05.2026, as illegal and arbitrary.

3. Learned counsel for the petitioner further submits that the petitioner is working as a Sub-Treasury Officer in the District Treasury Office, Sangareddy and the petitioner is working as Vice-President of Telangana Gazetted Officers' Association, Sangareddy Branch. As per G.O.Ms.No.38, Finance (HRM.I) Department, dated 21.04.2026, the respondent authorities have effected transfer of employees in the Treasury and Accounts Department and as per the said G.O., the petitioner is liable to be transferred as he has completed more than four (4) years of service in the present place of work. Pursuant thereto, the petitioner submitted his option form indicating the following preferences: Divisional Sub-Treasury Office, Zaheerabad as first option; District Treasury Office, Sangareddy (retention) as second option; Sub-Treasury Office, Patancheru as third option;

Sub Treasury Office, Sadasivpet as fourth option and Sub-Treasury Office, Andole as his fifth option. The respondent authorities had also notified the vacancies as follows: Zaheerabad – one post; Sangareddy - three posts; Patancheru - one post; Sadashivpet - one post and Andole - one post.

4. Learned counsel for the petitioner further submits that, as per the Circular Memo No.541/Ser.Wcl.A1/94-1 dated 15.09.1994 and the Circular Memo No.20914/S.W-I/A2/2012-2 dated 30.06.2012, the office bearers of the Recognized Service Association shall not be transferred from the Districts/Divisional/Taluk headquarters before completion of three terms or two terms as the case may be i.e., six years of their tenure, without assigning reasons. The same was also mentioned in G.O.Ms.No.38, Finance (HRM.I) Department, dated 21.04.2026. In spite of the same, the respondent authorities, without considering the options opted by the petitioner and without retaining him at District Treasury Office, Sangareddy, posted him to the Divisional Sub-Treasury Office, Shadnagar, Rangareddy and the same is illegal and arbitrary.

In view of the same, learned counsel for the petitioner requested this Court to allow the Writ Petition by directing the respondents to modify the transfer proceedings and retain the petitioner at the District Treasury Office, Sangareddy District.

5. On the other hand, learned Government Pleader for Services-III, basing on the counter affidavit, did not dispute the options given by the petitioner and submits that the options opted by the petitioner were not considered on the ground that a complaint was received against him from Smt. M. Kavitha Kumari, DD, DTO, Sangareddy, who is his controlling officer. In view of such complaint, the respondent authorities did not consider the case of the petitioner for posting him to the District Treasury Office, Sangareddy. There is no violation in the general transfers effected under G.O.Ms.No.38, Finance (HRM.) Department, dated 21.04.2026 and the transfers of employees have been completed in accordance with the guidelines issued by the Government, after verifying the options and on administrative grounds and keeping in view of the work exigencies at various units of the Department. It is within the

discretion of the Head of the Department to keep a post vacant or filled and to place an individual at an appropriate place.

6. Learned Government Pleader for Services-III further submits that, in terms of Circular Memo No.20914/S.W-1/A2/2012-2 dated 30.06.2012 issued by the Government, office bearers cannot be retained in their positions where disciplinary proceedings are pending against them and the respondent authorities can post them anywhere at their discretion, without retaining them. In view of the same, learned Government Pleader requested this Court to dismiss the Writ Petition.

7. After hearing both sides and on a perusal of the entire material available on record, this Court is of the considered view that there is no dispute that the petitioner is liable to be transferred as per G.O.Ms.No.38, Finance (HRM.I) Department, dated 21.04.2026. The said G.O., at paragraph No.7, prescribes the procedure for effecting transfers, which is as follows:

“7. Procedure for transfers:

To ensure that the transfer of employees is implemented in a

transparent and objective manner, the following procedure shall be followed:

- i. The Head of Department/ Competent Authority shall publish the list of incumbents working category wise and cadre wise in all units under their jurisdiction, along with place and duration.
- ii. Similarly, all clear vacancies shall also be published before seeking options from the employees.
- iii. The Competent Authority shall publish a list of employees to be compulsorily transferred.
- iv. The Competent Authority may obtain upto five options for preferential places of transfers from the employees in the prescribed proforma in Annexure II. However, the Departments may modify the proforma according to their specific requirements.
- v. The competent authority shall ensure that minimum operational staff is available in offices/ and functional units even in the hardship areas.
- vi. In case, adequate personnel do not opt for hardship area, the system of lottery shall be followed for effecting transfers.
- vii. All transfers shall be done by counselling in a transparent manner. Wherever possible, counselling will be done on online/web based application.
- viii. To ensure transparency, all the notifications shall be published online or on the office notice board.

In the above guidelines, there is no provision stating that an employee's opted place cannot be allotted on the ground that charges are pending against him/her.

8. In the instant case, the respondents have vehemently contended that, in view of the complaint against the petitioner by one Smt. M.Kavitha Kumari, DD, DTO, Sangareddy, who is

his controlling officer, the petitioner has been posted to a place other than the opted places, as per the discretion of the Head of the Department (HOD). The said contention of the respondents is not acceptable, as the respondents-Department have to follow G.O.Ms.No.38, Finance (HRM.I) Department, dated 21.04.2026, for effecting transfers. Once the respondents have chosen to effect transfers under G.O.Ms.No.38, Finance (HRM.I) Department, dated 21.04.2026, they have to follow the said G.O. without any deviation. In the instant case, the respondents authorities, under the presumption that in cases where transfer proceedings based on employee options cannot be accepted due to pendency of a complaint/charge memo/disciplinary proceedings, they may post the employee anywhere at their discretion. This is contrary to G.O.Ms.No.38, Finance (HRM.I) Department, dated 21.04.2026 and the posting orders issued to the petitioner are contrary to the said G.O.

8. The respondents further contended that, as per Circular Memo No.20914/S.W-1/A2/2012-2 dated 30.06.2012 issued by the Government, office bearers cannot be retained in their

positions where complaints/disciplinary proceedings are pending against them and the respondent authorities can post them anywhere at their discretion, without retaining them.

10. The Circular Memo No.20914/S.W.1/A2/2012-2 dated 30.06.2012, reads as under:

"In continuation of the circular instructions issued in the reference 5th cited, it is further clarified that the previous service rendered by the Office Bearers of Recognized Service Associations need not be taken into account while calculating the six years term as Office Bearers of Recognized Service Associations during six years period of Office Bearers. However, the competent authorities can effect such transfers on administrative grounds even before the expiry of the six years period, after recording the reasons.

2. All the Department to Secretariat and Head of Departments and District Collectors are requested to adhere to the above instructions scrupulously."

The qualifying service and criteria at Para-5(C) of G.O.Ms.No.38, Finance (HRM.I) Department, dated 21.04.2026, reads as under:

"C. The standing instructions on the transfers of office bearers of employees unions recognized, by the Government, as issued in Circular Memo No.20914/S.W.1/A2/2012-1 of G.A. (Services Welfare.I) Department, dt.26-06-2012 read with Circular Memo No.20914/S.W.1/A2/2012-2 of G.A. (Services Welfare.I) Department, dt.30-06-2012 shall be followed scrupulously."

11. As per the above Circular Memo and Para-6(C) of G.O.Ms.No.38, Finance (HRM.I) Department, dated 21.04.2026, in general transfers, the office bearers have to be retained without counting their past service and taking into account their service in the Recognized Service Associations up to six (6) years and within the said six (6) years, the respondent authorities can effect such transfers of the office bearers on administrative grounds by giving reasons. But in the instant case, the respondent authorities did not pass any independent orders for transferring the office bearers and only on the basis of their completion of four (4) years, transferred them on the ground of pending disciplinary proceedings and the same cannot be acceptable. There are no separate orders issued by the respondent authorities for transferring the petitioner from the present place of work in transfer counseling. If the respondent authorities wanted to transfer the petitioner without retaining him in the present place of work, they had to pass separate orders by giving reasons. In the instant case, the respondent authorities, under a wrong impression that there is

a complaint against the petitioner and he cannot be retained. After transfer proceedings also, there is a vacancy available at the District Treasury Office, Sangareddy and in view of the same, the respondents have to retain the petitioner to the District Treasury Office, Sangareddy.

12. With the above findings, this Writ Petition is disposed of by directing the respondents to modify the transfer proceedings issued by the respondent No.2 *vide* Procs.No.A1/5697/2026 /STO-6 dated 30.05.2026 insofar as the petitioner is concerned and to retain him at the District Treasury Office, Sangareddy, within a period of two (2) weeks from the date of receipt of a copy of this order.

13. Miscellaneous applications, if any, pending in this Writ Petition, shall stand closed. There shall be no orders as to costs.

**SD/- A.V.S. PRASAD
DEPUTY REGISTRAR**

//TRUE COPY//



SECTION OFFICER

To,

1. The Principal Secretary, Finance (HRM.I) Department Secretariat, State of Telangana, Hyderabad, Telangana.
2. The Director of Treasuries and Accounts, Department, Government of Telangana, Hyderabad.
3. The Dy. Director,, District Treasuries Office, at Sangareddy District, Telangana State.
4. The Asst. Treasury Office,, Divisional Sub-Treasury Office, Shadnagar, RR District.

5. One CC to SRI. VONJARI RAJA SHEKAR REDDY VENKAT RAM REDDY Advocate [OPUC]
6. Two CCs to GP FOR SERVICES III High Court for the State of Telangana, at Hyderabad [OUT]
7. Two CD Copies

rs

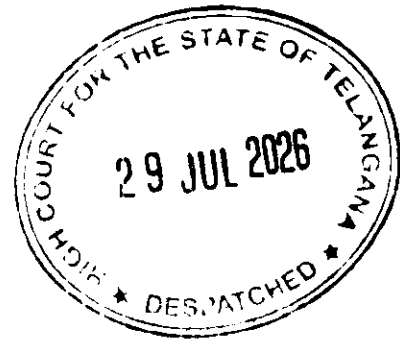
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HIGH COURT

DATED: 20/07/2026

ORDER

WP.No.17797 of 2026



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

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9/17
29/7/26*