

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

AND

THE HON'BLE SRI JUSTICE GUDISEVA SHYAM PRASAD

WRIT PETITION No. 31652 OF 2017

DATED 18TH SEPTEMBER, 2017

Between:

Tentu Suryanarayana

... Petitioner

AND

The State of A.P.,
Rep. by its Principal Secretary,
School Education, School Education Department,
A.P. Secretariat, Amaravati, and others ...

Respondents

Counsel for the petitioner

:

Smt. S.A.V.Ratnam

Counsel for the respondents

:

G.P. for Services (A.P.)

THE COURT MADE THE FOLLOWING

ORDER: (*per Hon'ble Sri Justice C.V.Nagarjuna Reddy*)

Challenge to Rule 7 (iii) of the Andhra Pradesh Teachers (Regulation of Transfers) Rules mounted in O.A.No. 2456 of 2017 before the Andhra Pradesh Administrative Tribunal at Hyderabad (for short, 'the Tribunal') having failed, the unsuccessful applicant therein filed this Writ Petition.

2. The petitioner as well as his wife are working as Teachers in Anandapuram Zilla Parishad High School, Visakhapatnam. The petitioner, having completed four years of service in that school, approached the Tribunal with the grievance that restriction of the benefit of spouse points only to one of the spouses once in 5/8 academic years is arbitrary. The Tribunal however repelled this plea by observing that if the aforementioned order is extended to both the spouses, that would enable them to continue at the same place permanently, thereby denying other teachers, who do not have working spouses, to opt for the place where working spouses are allowed to continue to work.

3. Having carefully considered the reasoning assigned by the Tribunal, we do not find that the order passed by it suffers from any illegality warranting our interference in exercise of our jurisdiction under Article 226 of the Constitution of India. The Writ Petition is accordingly dismissed.

4. As a sequel to dismissal of the Writ Petition, W.P.M.P.No. 39405 of 2017 shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J.

GUDISEVA SHYAM PRASAD, J.

Date: 18-09-2017.

JSK