

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.19502 OF 2018

Dated:21.06.2018

Between:

Smt. K. Vasantha, W/o. Mudavath Ramesh,
age 34 years, Occ: School Assistant
(Physical Science), ZPHS School,
Dharmapur, Dharmapur Mandal,
Mahabubnagar District

.. Petitioner

And

The State of Telangana, rep., by its
Principal Secretary, School Education
Department, Secretariat, Hyderabad
and others

.. Respondents



The Court made the following:

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ORDER:

Heard.

2. Petitioner is aggrieved by non-consideration of her case for transfer to the Agency Area of Nagar Kurnool (Mahabubnagar) District in spouse category, though she belongs to Scheduled Tribe and her husband belongs to local Scheduled Tribe of Agency Area.

3. A batch of Writ Petitions, being W.P.No.19214 of 2018 and batch, are filed challenging Rule 5 (5) of the Telangana Teachers (Regulation of Transfers) Rules, 2018 on the ground that restriction is imposed in not transferring the people working in the Agency Area to outside the Agency Area and *vice versa* and considering transfers only within the Agency Area is arbitrary and unconstitutional. When the batch of Writ Petitions are taken up before the Division Bench, on behalf of the State, learned Additional Advocate General represented that the Government would permit all the Head Masters/Teachers working either in the Agency Areas or plain areas, to exercise the options as per their choice without confining such options only within the Agency Area or in the plain area.

4. In view of the said submission, the Division Bench of this Court disposed of the batch of Writ Petitions in the following terms.

“... As learned counsel for the petitioners and the learned Additional Advocate General are in agreement, the respondents shall, during the counselling for the current academic year 2018-19, permit all the Head Masters/Teachers, working both in Agency and plain areas, to exercise options of their choice, and extend to

them the entitlement points as provided under the 2018 Rules. After the process of counselling is completed, it is only those Head Masters/Teachers working in Agency Area schools, who have exercised their option to serve in plain areas, who shall be transferred to plain areas provided Head Masters/Teachers working either in plain areas or in other Agency Areas have exercised their options to be posted in schools in which these Head Masters/Teachers, who seek transfer to plain areas, are presently working.”

5. The said observations and directions equally apply to the present case.

6. Following the order of the Division Bench in W.P.No.19214 of 2018 and batch, dated 19.06.2018, this Writ Petition is also disposed of in terms thereof. There shall be no order as to costs. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

Date:21.06.2018

Note:- Issue C.C. tomorrow.
(B/o)
KH

P. NAVEEN RAO, J