

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.19273 OF 2018

Dated:14.06.2018

Between:

Sd. Nasreen Sultana, W/o. Khaja Khaleel
Ahamad, Aged about 50 years, School
Assistant (Urdu), ZPHS Asifabad,
Komarambeem Asifabad District

.. Petitioner

And

The District Educational Officer,
Adilabad District and others

.. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO**WRIT PETITION No.19273 OF 2018****ORDER:**

Heard.

2. Petitioner is working as School Assistant (Urdu) in Zilla Parishad High School, Tandur since the year 2009. Her husband is working as School Assistant Teacher (Urdu) in M.P.P.S. Tandur since the year 2013. Consequent upon lifting of ban on transfers, the Government notified the Telangana Teachers (Regulation of Transfers) Rules, 2018 (for short, 'the Rules') vide G.O.Ms.No.16, dated 06.06.2018, and transfer exercise is taken up by the School Education Department. As petitioner completed eight years of service in the present school, she applied for transfer. According to the Rules governing the present transfers, additional entitlement points are provided for Teachers whose spouses are working in the same district. Accordingly, petitioner is also entitled to claim additional entitlement points as her husband is working in the same district.

3. Learned counsel for the petitioner contends that there is a post of Urdu Pandit Grade II upgraded in the year 1971 in the same school, where the husband of the petitioner is working and the same should be given to the petitioner or nearby place. He further submits that the petitioner is suffering from arthritis; there is no one to look after her and therefore she is in need of the company of her husband.

4. With reference to the contention of learned counsel for the petitioner that there is a post of Urdu Pandit Grade II in ZPHS Tandur, learned Government Pleader for Education would submit that this Court in W.P.No.10061 of 2017 directed the respondents not to fill up the posts of School Assistants (Languages) till Recruitment Rules are amended. Therefore, though post is available, the same is not placed in the transfer counselling as the same cannot be filled up.

5. At this stage, it cannot be expected that the petitioner would not be given priority in posting, though her husband is working in the same district and she also claims her health grounds. Therefore, this Court is of the opinion that no interference is called for. However, it is needless to observe that if choice of place is not given to the petitioner in the transfer counselling, as requested by her, and priority is given to some other third parties, who are not entitled to such assignment, she can work out her remedies as available in law.

6. With the above observation, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

P. NAVEEN RAO, J

Date:14.06.2018

KH