

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.19465 OF 2018

Dated:13.06.2018

Between:

K. Kiran Kumar, S/o. K. Ramulu,
Aged about 34 years, Occ: Secondary
Grade Teacher, O/o. MPPS Kailapur,
Chityal Mandal, Jayashanakar
Bhupalapally (Warangal) and others .. Petitioners

And

The District Educational Officer,
Warangal, Warangal District and others .. Respondents



The Court made the following:

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ORDER:

Heard learned counsel for the petitioners and learned Government Pleader for School Education appearing for the respondents.

2. Petitioners were temporarily appointed as Secondary Grade Teachers on 28.02.2008 and posted to MPPS, Cherlapally, Parakal Mandal, MPPS Thimapur Venkatapur Mandal, UPS CR.Pally Chityal Mandal, MPPS Garimillapally Chityal Mandal and MPPS Bionapally Chityal Mandal respectively. While working in the said schools, by order dated 18.08.2009, they were transferred and posted to the places as mentioned in the cause title.

3. In relaxation of ban on transfers, the Government issued orders vide G.O.Ms.No.61, Finance (HRM.I) Department, dated 24.05.2018. Consequently, the Government notified G.O.Ms.No.16, School Education (Ser.II) Department, dated 06.06.2018, and transfer exercise is taken up to transfer various categories of Teachers. The limited grievance of the petitioners in the present Writ Petition is while computing the weightage points as per the Telangana Teachers (Regulation of Transfers) Rules, 2018 (for short, 'the Rules, 2018), the service rendered by them from 28.02.2008 in the schools mentioned above should be counted and not counting the said service is erroneous.

4. According to learned counsel for the petitioners, for no fault of the petitioners and within a short period of their working in the previous schools, they were transferred to other schools, where they

are presently working and therefore that service should also be computed towards weightage points.

5. The present transfer exercise is governed by the Rules, 2018. Rule 5 of the Rules, 2018 deals with the criteria for transfers; Rule 6 deals with entitlement points and under the Heading I Common Points, it is stipulated for service in the present School, a person is entitled to weightage points ranging from 3 to 1 depending on the location and categorization of the schools and under the Heading II, Special Points (Extra Points) are also mentioned. A cumulative reading of Rules 5 and 6 of the Rules, 2018 would make it clear that the service rendered in the previous posting prior to the transfer to the present school cannot be counted for the purpose of determining the entitlement points under Rule 6 of the Rules, 2018. Therefore, the claim of the petitioners to compute the weightage points by counting service rendered by them prior to 18.08.2009, when they were working in other schools cannot be countenanced. The Writ Petition merits no consideration.

6. The Writ Petition is accordingly dismissed in *limini*. 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:13.06.2018

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