

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.20405 OF 2018

DATED : 19.06.2018

Between :

B.Amruth D/o.B.Pentappa,
Aged about 56 yrs, Head master Grade-II,
Z.P.H.S., Pothireddipally, Sangreddy District.

Petitioner

And

State of Telangana,
Rep., by its Principal Secretary to Government,
Education Department,
Secretariat Telangana, Hyderabad & others.

Respondents



This court made the following :

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ORDER :

Heard.

2. Petitioner is working as Head Master Grade-II in Zilla Parishad High School, Pothireddipally, Sanga Reddy District. He has been working in the said school and has completed more than five years in the present school. According to petitioner, his date of birth is 10.07.1962 and is due for retirement on attaining the age of superannuation on 30.07.2020. Petitioner claims that he is appointed as returning officer to hold Gram Panchayat elections vide proceedings of the District Election Authority dated 08.06.2018 and wants to retain in the same place. While so, petitioner is now identified as person to be compulsorily transferred from the present place of posting pursuant to relaxation of ban and notifying the Telangana Teachers (Regulation of Transfers) Rules, 2018 (for short, 'the Rules, 2018') vide G.O.Ms.No.16, School Education (Ser.II) Department, dated 06.06.2018. According to Rule 5 of the Rules, 2018, an exception is carved out for Teachers who are due for retirement within two years from 31st May of the current year.

3. Though the petitioner is not falling into this exception, learned counsel for the petitioner would submit that within two years, petitioner is retiring from service and he should not have been disturbed.

4. Having regard to the provision in Rule 12 of the Rules, 2018, petitioner seeks leave of the Court to make a representation to the

District Educational Officer requesting for his retention on account of impending retirement and that he is appointed as returning officer.

5. The Writ Petition is accordingly disposed of granting liberty to the petitioner to make a representation to the District Educational Officer for his retention. It is needless to observe that if representation is made by the petitioner, the same shall be considered before affecting transfers. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

19th June, 2018
Rds

P.NAVEEN RAO,J

