

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.20670 OF 2018

Date: 21.06.2018

Between:

Md. Abdul Qayyum S/o. Mohd. Abdul Baseer,
Aged about 55 years, occu:Senior Assistant,
O/o District Educational Officer, Mahabubnagar,
R/o. H.No.1-7-12, Tirumaladevunigutta,
Mahabubnagar, Mahabubnagar district.

.....Petitioner

and

The State of Telangana, rep.by its Prl.Secretary,
School Education, T.S. Secretariat Buildings,
Hyderabad and others.

.....Respondents



The Court made the following:

HONOURABLE SRI JUSTICE P.NAVEEN RAO

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ORDER:

Petitioner is presently working as Senior Assistant in the Office of District Educational Officer, Mahabubnagar. Consequent to the promotion granted to petitioner in April, 2018, taking his length of stay in Mahabubnagar town, he is subjected to compulsory transfer in the transfer counselling pursuant to lifting ban on transfers. By taking his tenure in Mahabubnagar as Junior Assistant prior to his promotion and on promotion, petitioner is now transferred and posted to the Office of the District Educational Officer, Wanaparthi. This order of transfer is under challenge in this writ petition.

2. According to learned counsel for petitioner, as petitioner is hearing impaired person and his wife is also suffering from ailments, posting him to Wanaparthi would cause lot of hardship and suffering. According to learned counsel, petitioner had opted to Government DIET College, Mahabubnagar and CTE, Mahabubnagar. Instead of posting to opted places, petitioner was sent out to a far of place, causing lot of hardship and suffering.

3. As stated by learned Assistant Government Pleader, petitioner has been working in Mahabubnagar town from 12.09.1998 i.e., about 20 years, therefore, question of retention of petitioner in Mahabubnagar town does not arise.

4. As petitioner is working in Senior Assistant cadre, and the said post is transferable within a zone, his transfer to Wanaparthi cannot be found fault with. In the transfer counselling, various

parameters are laid down for considering the respective claims. Merely because petitioner opts to a particular place, it does not automatically mean that it should be granted and be posted to his choice of place disregarding parameters for transfer. Furthermore, as petitioner is working for almost 20 years in Mahabubnagar town, question of his retention in Mahabubnagar town, in any office, cannot be granted. There may be many requests by other employees for posting to Mahabubnagar town and when there are more requests to a place, persons who were long standing in a particular place necessarily be transferred to accommodate the competing claims. Thus, I see no merit in the writ petition. However, having regard to the deformity of petitioner and that his wife is suffering from ailments, it is open to petitioner to make a representation to the Commissioner/ Director of School Education and as and when such application is filed, the same shall be considered. Writ petition is accordingly disposed of.

Pending miscellaneous petitions shall stand closed. There shall be no order as to costs.

JUSTICE P.NAVEEN RAO

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