

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.20601 of 2018

Date : 19.6.2018

Between:

V.Krishnamurthy s/o. Anantaiah, Aged about 49 years,
Occu: School Assistant, Physical Science, ZPHS Shool,
Vardhanapet Mandal, Warangal District and others.

.... Petitioners

And

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

.... Respondents



The Court made the following:

HONOURABLE SRI JUSTICE P. NAVEEN RAO**WRIT PETITION No.20601 of 2018****ORDER:**

Petitioners belong to School Assistant cadre. Petitioners are presently working as State Resource Persons. In the transfer counseling process, petitioners request grant of weightage points for the work rendered by them as State Resource Persons.

2. Heard learned counsel for petitioners, learned Government Pleader for Services-I and learned Government Pleader for Education. Counsel on either side admitted that the issue raised in this writ petition is squarely covered by orders of this Court in W P No. 19795 of 2018 dated 14.6.2018.

3. Government lifted ban on transfers and issued transfer guidelines. Consequently Education Department notified Rules known as 'The Telangana Teachers (Regulation of Transfers) Rules, 2018' vide G.O.Ms.No. 16 dated 6.6.2018 and is taking transfer exercise of teachers working in various categories. Rule 5 prescribes criteria for transfers. Rule 6 prescribes entitlement points. Sub Rule II of Rule 6 prescribes special points (extra points). These extra points are awarded to President and General Secretary of the Association, un-married Head Mistress/ Grade II Female Teacher, Head Master/Head Mistress Grade II (Gazetted)/ Teacher whose spouse is working in the same district etc. Rule 7 deals with Performance Related Extra Entitlement Points. Under this Rule, entitlement points are provided for achieving higher percentage of results in schools.

4. Reading of these Rules would make it clear that no weightage marks are earmarked for teachers securing awards/ meritorious certificates or doing any other quality work as claimed by the petitioners.

5. According to learned counsel for petitioners in 2013 and 2015 counseling such weightage points were given and for the first time such weightage points are deleted, causing hardship and suffering to petitioners.

6. At this stage, it is suffice to note that the relevant Rules are not under challenge. Therefore, Court cannot express any opinion on the decision of not providing weightage points. In the absence of challenge to the Recruitment Rules, the relief sought by the petitioners also cannot be granted as the relief prayed is contrary to the statutory requirements. Thus, leaving it open to the petitioners to make representation to the Competent Authority to exercise power under Rule 31 of Telangana State and Subordinate Service Rules, 1996 and to grant weightage points, Writ Petition is disposed of. It is needles to observe that if any such representation is made, same shall be considered in accordance with law. Pending miscellaneous petitions shall stand closed. No costs.

JUSTICE P.NAVEEN RAO

Date:19-06-2018

Note: Issue CC by tomorrow.

*(b/o.)
kkm*

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