

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.20863 OF 2018

DATED :22.06.2018

Between :

B.Satyavani W/o.K.Rakesh,
Aged about 45 yrs, Occu : Teacher,
R/o.H.No.4-9-437, RTC Colony,
Hayathnagar, Hyderabad.

..
Petitioner

And

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

..
Respondents



This court made the following :

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ORDER :

Heard.

2. Petitioner is working as teacher in Government High School, Esamiya Bazar, Koti, Hyderabad, since the year 2009. As per the Telangana Teachers (Regulation of Transfers) Rules, 2018 (for short, 'the Rules, 2018') notified vide G.O.Ms.No.16, School Education (Ser.II) Department, dated 06.06.2018, petitioner has completed more than eight years of service, she is liable for compulsory transfer from the present place of posting. According to the petitioner, her husband is working as Assistant Depot Clerk, Hyderabad-II of Telangana State Road Transport Corporation in Dilsukhnagar. Petitioner claims that as her husband is working in Dilsukhnagar, she should be given ten additional weightage points on spouse ground, while affecting transfers and not granting the same is illegal.

3. Rule 5 of the Rules, 2018 prescribes criteria for transfers. Rule 6 prescribes entitlement points under the heading **"I-Common Points"**-certain points are marked for the service rendered and **"II-Special Points (Extra Points)"**-additional weightage is assigned for various categories mentioned therein. Sub-Rule (c) of the Rule 6-II deals with weightage points on spouse ground, however, the requirement of applying weightage point on spouse ground is that the spouse must work in the same district in which the employee is working. Thus, to apply the provision in favour of petitioner, what is required to be satisfied is that

petitioner and her spouse should work in the same district. Petitioner is working in Hyderabad District, where as admittedly, Dilsukhnagar, is in Ranga Reddy District. Thus, in terms of the provision in Rule 6 (II) (c) of the Rules, 2018 petitioner is not entitled to ask for additional weightage points on spouse ground as petitioner and her husband are not working in the same district.

4. Further more, as fairly submitted by learned counsel for the petitioner, petitioner is residing in Hayatnagar and her husband is working in Dilsukhnagar and even the transfer can be made only within the Hyderabad district. So petitioner can not complain of transfer when better transport facilities are available in the city, even assuming that petitioner is entitled to weightage points, and litigate on these aspects.

5. Having regard to the above observations, the Writ Petition is dismissed. There shall be no order as to costs.

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

22nd June, 2018
Rds

P.NAVEEN RAO,J