

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 22147 of 2018

Date : 4.7.2018

Between:

P Sudhakar S/o P Ramulu
48 yrs
Deputy Paramedical officer, PHC Kandakur
R R District

Petitioner

And

The State of Telangana
Rep by its Principal Secretary
Medical, Health and Family Welfare Department
Secretariat, Hyderabad and others

Respondents

The Court made the following:



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ORAL ORDER:

Petitioner is working as Deputy Paramedical Officer, PHC, Kandakur, Ranga Reddy District. Petitioner was earlier working in UHNC, Panipura, Hyderabad. According to petitioner, he has under-went Open-Heart surgery and requires regular medical supervision and his daughter underwent Neuro surgery and she also requires continuous medical supervision and treatment. According to learned counsel, petitioner has applied in the transfer counseling, stated his medical condition and enclosed the medicate certificates in support of his claim to post in Hyderabad city, however, without considering his request for appropriate posting nearer to city of Hyderabad, he was transferred and posted to PHC, Kandukur which is about 50 Kms from Hyderabad and would cause grave hardship to him and his daughter. Petitioner submitted representation to Director, Public Health and Family Welfare, ventilating his grievance. Alleging inaction and transferring him to far of place, this writ petition is filed.

2. Instructions furnished to the learned Assistant Government Pleader do not disclose consideration of the claim of the petitioner on medical grounds. Consequent to the lifting of ban on transfer, guidelines were notified by the Government vide G O Ms No. 61 Finance (HRM.I) Department dated 24.5.2018. Paragraph III of the guidelines envisages priority consideration on medical grounds, which includes Open Heart Operation and Neuro surgery and petitioner qualified to claim the priority consideration under paragraph III (a) (vi) of the guidelines and apparently same was not considered.

3. According to learned counsel for petitioner, there are vacancies in and around Hyderabad city and petitioner can be considered in any of the vacancies.

4. Having regard to these submissions, writ petition is disposed of directing the Director of Public Health & Family Welfare/second respondent to examine the claim of the petitioner as ventilated in his representation filed as Ex.P-1 to the paper book of writ petition with reference to the claim of the petitioner to his health condition and health condition of his daughter and consider the request of the petitioner for suitable posting in the available vacancies. Such consideration shall be in terms of guidelines with regard to focal to non focal and non focal to focal postings. The decision taken on consideration of the matter shall be communicated to the petitioner within three weeks from the date of receipt of copy of this order. No costs. Miscellaneous petitions, if any pending, are closed.

DATE:04-07-2018
TVK



P NAVEEN RAO,J

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