

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.26412 OF 2018

DATED :17.09.2018

Between :

Banala Nagabhushana Chary, S/o.late Chandraiah,
53 yrs, Principal, Mandamarri,
MJPT BC Residential School (Girls), Mancherial,
Mancherial District,
(Erstwhile Adilabad District), Telangana State.

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Petitioner

And

MJPT BC Welfare Residential
Educational Institutions Society,
D.S.S. Bhavan, Masab Tank, Hyderabad,
Rep., by its Secretary & another.

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Respondents



This court made the following :

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ORDER :

Heard learned counsel for the petitioner and learned Standing Counsel for respondents.

2. By order dated 10.04.2018 petitioner was relieved as Principal of MJPTBC Welfare Residential School (Girls), LMD Colony, Karimnagar and deputed to MJPTBC Welfare Residential School (Girls), Mandamarri (Chennur), Mancherial District. In the place of petitioner the Regional Coordinating Officer (RCO), Karimnagar is kept as Full Additional Charge of the said post. This transfer is challenged primarily on two grounds. Firstly, that petitioner has some health issues and is taking treatment in Karimnagar and his transfer to Mandamarri would have serious impact in taking treatment as same medical facilities are not available in Mandamarri, and; secondly several such transfers made in the form of deputation were cancelled and the principals were brought back to their original place of posting, whereas only petitioner is not brought back to LMD Colony, Karimnagar.

3. Ventilating his grievance against the transfer made, petitioner submitted two representations on 11.04.2018 and 23.04.2018. Alleging inaction this writ petition is filed.

4. During the course of hearing, learned counsel for the petitioner submits that the incumbent RCO who was kept in charge of LMD Colony, Karimnagar retired from service and after his retirement the local teacher is kept as in charge. Therefore,

the said vacancy is also now available and petitioner ought to have been brought back to LMD Colony.

5. As petitioner was relieved in April, 2018 and already joined in the place where he was posted, no positive direction can be granted at this stage.

6. Having regard to the health condition expressed by the petitioner, the Secretary, MJPTBC-2nd respondent, is inclined to consider the request of the petitioner for suitable accommodation.

7. However, having regard to the illness expressed by the petitioner and as stated in his representations and the fact that the RCO, who was kept in charge of post of Principal of LMD Colony, since retired, liberty is granted to petitioner to make a representation ventilating his grievance and solicit appropriate orders from the Secretary of respondent-Society. If such representation is made, the Secretary of the respondent Society shall consider the same, objectively and pass appropriate orders on the representation of the petitioner to retransfer or to accommodate in Karimnagar as the case may be. A decision shall be taken and communicated to the petitioner within a period of three (3) weeks from the date of submission of such representation.

8. With the above directions, the Writ Petition is disposed of. Pending miscellaneous petitions shall stand closed.

P.NAVEEN RAO,J

17th September, 2018

Note : Issue c.c. in three (3) days.

B/o.
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