

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.30788 OF 2018

Dated:04.09.2018

Between:

Indrakanti Jyothi, W/o. M. Srinivas,
Aged about 40 years, Occ: School Assistant-cum-
Associate NCC Officer, Zilla Parishad High School,
Mujahidpur, Kulkacharla Mandal, Vikarabad
District, R/o.Flat No.102, Sri Saraswati Residency,
Old Alwal, Secunderabad, Telangana State .. Petitioner

And

The Stat of Telangana, rep., by the
Special Chief Secretary, School
Education Department, Secretariat,
Hyderabad and others .. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO**WRIT PETITION No.30788 OF 2018****ORDER:**

Heard.

2. Petitioner is a School Assistant (English) and also NCC Instructor. She was earlier working in Zilla Parishad Girls High School, Medchal, Ranga Reddy District. In the transfer counselling exercised, she was transferred to Zilla Parishad High School, Mujahidpur, Kulkacherla Mandal, Vikarabad District. According to petitioner, though there is no post of NCC Instructor in the said school, four Teachers were posted, who were all NCC Instructors. On the contrary, there is a clear vacancy of NCC Instructor in Zilla Parishad High School in Miyapur, Serilingampally Mandal, Ranga Reddy District. The action of the respondents in not posting to the school where NCC Instructor is required and posting to a place where there is no requirement is challenged in this Writ Petition. In fact, after the transfer counselling exercise, petitioner preferred appeal. However, the said appeal was rejected by order dated 31.07.2018 stating that if there is a requirement of NCC Instructor and her services can be utilized in any other school.

3. *Prima facie*, the said reason is not valid. If the respondents intend to utilize the services of petitioner as NCC Instructor in any other school, but not as School Assistant in English, petitioner ought to have been posted to a school where NCC Instructor is sanctioned.

4. As instructed to learned Assistant Government Pleader for School Education by the District Educational Officer and as requested by the Commandant Officer, NCC., there is requirement of NCC Instructor in the school in Miyapur.

5. That being so, the order impugned in the Writ Petition is not sustainable and is accordingly set aside and the matter is remitted to the Regional Joint Director of School Education with direction to consider posting petitioner to Zilla Parishad High School in Miyapur (Girls NCC Unit) as NCC Instructor. The decision shall be taken and appropriate orders be communicated to the petitioner as expeditiously as possible, preferably within a period of two weeks from the date of receipt of a copy of the order.

6. The Writ Petition is accordingly allowed. Pending Miscellaneous Petitions shall stand closed.

Date:04.09.2018

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P. NAVEEN RAO, J