

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.35100 OF 2018

ORDER

This writ petition is filed seeking to issue a Writ of Mandamus declaring the action of the respondents in considering the service of the petitioner from 12.01.2011 instead of 01.11.2016, as arbitrary, illegal and against the principles of natural of justice and consequently to direct the respondents to conduct re-counselling in respect of transfers of Urdu Medium Physical Science Teachers in Mahabubnagaur District.

Heard Sri A.Govinda Reddy, learned counsel appearing for the petitioner and learned Government Pleader for Services-I appearing for the respondents.

It is the case of the petitioner that he is working as Urdu Teacher in MPHS at Pebbair, Wanaparthi District, since 12.01.2001 and in the counselling, he made a representation on 20.10.2016 seeking transfer to Mahabubnagar District on the ground that his wife is working in Mahabubnagar. When his case was not considered, he filed the present writ petition.

Learned counsel appearing for the petitioner submits that since the petitioner has completed more than seven years of service in MPHS, Pebbair, his case deserves to be considered in the counselling, which was conducted recently for effecting transfers. He further submits that as there are

number of vacancies in Mahabubnagar District, the case of the petitioner may be considered for transfer.

Learned Government Pleader for Services-I appearing for the respondents has drawn attention of this Court to Rule 5 of G.O.Ms.No.16, dated 6.6.2018, wherein it was stated that the teachers, who have completed eight years in a particular place, as on 31st May, 2018, compulsorily be transferred. Since the petitioner has not completed eight years as on 31st May, 2018, his case was not considered. He submits that even though there are vacancies in Mahabubnagar District, the case of the petitioner cannot be considered at this point of time as there is ban on transfers and there are no merits in the writ petition and the same is liable to be dismissed.

Having considered the rival submissions made by the learned counsel on either side, this Court is of the considered view that since the petitioner has not completed eight years as on 31st May, 2018, his case was rightly rejected.

In view of the same, the Writ Petition is dismissed. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

