

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No.35662 of 2018

ORDER:

Petitioner has filed this Writ Petition challenging the order dt.19-09-2018 of the 1st respondent rejecting petitioner's appeal.

2. Petitioner is appointed as School Assistant in Maths and was working in Z.P.H.S. Apparla and had completed 8 years service and became liable for transfer as per G.O.Ms.No.16 dt.16-06-2018.

3. Petitioner contends that as per Rule 10 of the said G.O., all the vacancies arising due to compulsory transfers as per Rule 5 were required to be notified for the purpose of online web counseling in the specified website and also displayed in the office of the DEO, but though vacancies were shown in Z.P.H.S. Veltoor, Z.P.H.S.Ayyavaripalle and Z.P.H.S. Vemula as on 01-06-2018, they were not displayed in the website and he was deprived of an opportunity to exercise option for the said schools and requested that he be allotted to Z.P.H.S.Veltor.

4. Petitioner contends that he has been posted in Z.P.H.S. Amarachinta and though he preferred appeal raising the above contentions before the 1st respondent, the 1st respondent has not answered the same and has given an irrelevant reason that petitioner was allotted his preference No.31 since Sl.Nos.1 to 30, which were also preferred by petitioner, were allotted to his seniors.

5. A reading of the impugned order discloses that petitioner's contention that there was no display in the web options of the schools mentioned above, which was specifically raised in the appeal filed by him before the 1st respondent, has not been answered by 1st respondent.

6. In this view of the matter, the order passed by the 1st respondent cannot be sustained and it is accordingly set aside. Though the petitioner has joined in Z.P.H.S.Amarachinta, the said transfer of the petitioner shall be subject to a fresh order which shall be passed by the 1st respondent after considering the grounds raised by petitioner in his appeal, within two (02) weeks from the date of receipt of the copy of the order.

7. The Writ Petition is disposed of with the above directions. No costs.

8. As a sequel, miscellaneous petitions pending, if any, shall stand dismissed.

M.S.RAMACHANDRA RAO, J

Date : 22-10-2018
Vsv