

THE HON'BLE THE CHIEF JUSTICE UJJAL BHUYAN

AND

THE HONOURABLE MRS JUSTICE SUREPALLI NANDA

WRIT PETITION No.29926 of 2022

ORDER: *(Per the Hon'ble the Chief Justice Ujjal Bhuyan)*

Heard Mr. Srinivasa Rao Madiraju, learned counsel for the petitioner and Mr. A.Sanjeev Kumar, learned Special Government Pleader appearing for School Education Department for the respondents.

2. By filing this petition under Article 226 of the Constitution of India, petitioner seeks a direction to the respondents to consider posting her either in Medchal Malkajgiri District or in Ranga Reddy District by considering her representations dated 17.12.2021 and 17.01.2022 as a special case.

3. Petitioner is a School Teacher having been appointed as such on 02.12.1996. At the relevant point of time, she was serving in ZPHS Taramathipet, Hayathnagar

Mandal. Following the G.O.Ms.No.317 dated 06.12.2021 issued by the General Administration (SPF-I) Department, Government of Telangana, petitioner has been allotted and posted as School Assistant (English), ZPHS Indur in Vikarabad District.

4. It is stated that petitioner's husband A.Seetharama Rao is suffering from Lukemia and had undergone Bone Marrow Transplantation in December, 2017 in Christian Medical College, Vellore. He requires constant medical attention and regular follow-up. In such circumstances, petitioner had submitted representations dated 17.12.2021 and 17.01.2022 to retain her in the same working place on humanitarian grounds.

5. Learned counsel for the petitioner has referred to the appendix to the Presidential Order, 2018, more particularly to clause 22 thereof which says that subject to administrative needs and ensuring balanced composition of local cadre, preference may be given to those employees suffering from Cancer, Neuro Surgery, etc., for

accommodation in support of their claim, as far as practical.

6. Learned Standing Counsel submits that the authority may be asked to consider the representations of the petitioner.

7. After hearing learned counsel for the parties and on due consideration and having regard to the medical condition of petitioner's husband, we direct respondent No.2 to take a decision on the representations of the petitioner dated 17.12.2021 and 17.01.2022 having regard to the Presidential Order, 2018, more particularly to clause 22 thereof. Let such consideration be carried out and appropriate decision be taken by the aforesaid respondent within a period of four (04) weeks from the date of receipt of a copy of this order.

8. This disposes of the Writ Petition. However, there shall be no order as to costs.

9. Miscellaneous applications pending, if any, in this Writ Petition shall stand closed.

UJJAL BHUYAN, CJ

SUREPALLI NANDA, J

Date: 20.07.2022
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