

HONOURABLE SRI JUSTICE N.V. SHRAVAN KUMAR

W.P. No.38026 of 2022

ORDER:

This writ petition has been filed seeking a *writ of mandamus* to declare the action of the respondent No.3 in issuing the posting orders in Proceeding No. HM/DI/KOMA/JUAS/0008, dated 31.12.2021, posting the petitioner at Asifabad KomaramBheem District, without considering the spouse appeal/application dated 24.12.2021 as illegal and arbitrary.

2. The learned counsel for the petitioner submitted that in spite of there being a clear direction from the 1st respondent, Chief Secretary, vide Memo dated 24.12.2021 wherein categorically directed to all the Secretaries to Government to dispose of the spouse appeal/application relating to allotment of local cadres with respect to spouse cases before allocating local cadres, without considering the spouse appeal/ application of the petitioner, the respondent No.3 passed the impugned proceedings dated 31.12.2021. In similar circumstances, this Court on 22.02.2022 in I.A. No.1 of 2022 in W.P. No.9281 of 2022 passed the following order, which reads as under:

“Petitioner contends that against the allotment order dt.22.12.2021 the petitioner had filed an appeal before the appropriate authority on 24.12.2021 on spouse ground and the said appeal is pending consideration.

It is further contended that the respondents have issued posting orders in contravention of instructions issued by the Chief Secretary, Government of Telangana, vide Memo No.1655/SPF-I/2021-8 dt.24.12.2021, where under the authorities have been directed to dispose of spouse category cases relating to allotment of cadre before issuing posting orders.

Without expressing any view on the said contention urged, since it is admitted that the petitioner has already availed the remedy as provided under Regulation 27 of guidelines issued under G.O.Ms.No.317 General Administration (SPF-I) Department, dt.06.12.2021, pending further orders, the respondents are hereby directed to dispose of the said appeal on or before 08.04.2022 in accordance with law.

It is further made clear that while considering the appeal, the respondents shall keep in mind the intent and purport behind the Circular instructions issued vide Memo No.1655/SPF-1/2021-8 dt.24.12.2021 by the Chief Secretary to Government relating to

posting of employees in newly allotted cadre under Spouse Category."

3. The learned Government Pleader for Services submitted that the respondents would consider the pending appeal/application of the petitioner dated 24.12.2021 and this writ petition may be disposed of in terms of the order dated 22.02.2022 passed in I.A. No.1 of 2022 in W.P. No.9281 of 2022.

4. Having regard to the facts and circumstances of the case and the submissions made by the learned counsel on either side, without expressing any opinion on the merits of the case, this writ petition is disposed of in terms of the order dated 22.02.2022 passed in I.A. No.1 of 2022 in W.P. No.9281 of 2022 with a direction to the respondents to consider the appeal/application dated 24.12.2021 of the petitioner and dispose the same, as expeditiously as possible, preferably within a period of four (04) weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

As a sequel, miscellaneous applications, if any pending, shall stand closed.

N.V. SHRAVAN KUMAR,J