

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

WEDNESDAY, THE FIRST DAY OF FEBRUARY
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE K. SARATH

WRIT PETITION NO: 2787 OF 2023

Between:

Smt. K. Seethamma, D/o Hanmayya, aged about 43 years, Occ- Multi Purpose Health Assistant (F), UPHC, Raghupathipet, Nagar Kumool District, R/o H.No.15-113/233 and 234, Sri Sai Balaji Homes, Badangpet, Nadargul, Ranga Reddy District, TS.

...PETITIONER

AND

1. The State of Telangana, rep. by its Principal Secretary, Health, Medical and Family Welfare Department, T.S. Secretariat, Hyderabad.
2. The Commissioner of Health and Family Welfare, Telangana State, Hyderabad.
3. The Director, Public Health and Family Welfare, Hyderabad, TS.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to call for the records from the Respondents and issue an appropriate Writ, Order or Direction, particularly one in the nature of Writ of Mandamus, declaring that the order of allotment issued by the 3rd Respondent vide proceedings No.HM/CO/MA/ZIV/MUPU/0044, dated 31-12-2021, allotting the petitioner to new local cadre Zone-VII, Jogulamba from erstwhile local cadre Mahabubnagar, which is the present Ranga Reddy District and Zone-VI, Charminar, ignoring my request under the spouse category, and also not considering under Scheduled Tribe community, contrary to Clause 21 and 23 of G.O.Ms.No.317, General Administration (SPF-I) Department, dated 06-12-2021 and also not considering representation of petitioner dated 15-07-2022 under Spouse category as illegal, unjust, arbitrary and violative of Articles 14, 16 and 21 of the Constitution of India, and consequently direct the respondents to consider

her case for allotment in Zone-VI, Charminar on the ground of Spouse Category' with all consequential benefits.

IA NO: 1 OF 2023

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondents to allot the petitioner to Zone-VI, Charminar from Zone-VII, Jogulamba under Spouse Category by considering her representation dated 15-07-2022, before the 2nd respondent, pending disposal of the Writ Petition.

Counsel for the Petitioner: SRI GADI PRAVEEN KUMAR

Counsel for the Respondents: GP FOR SERVICES-II

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE K.SARATH

WRIT PETITION No.2787 of 2023

ORDER:

Heard the Learned counsel for the petitioner and Learned Government Pleader for Services-II appearing for the respondents. With their consent, this Writ Petition is disposed of at the stage of admission itself.

2. Learned counsel for the petitioner contends that against the allotment order vide Proc.No.HM/CO/MA /ZIV/MUPU/0044 dated 31.12.2021, the petitioner has filed representation dated 15.07.2022 under 'Spouse Category' and the said representation is pending for consideration.

3. 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/2021-7, dated.23.12.2021, where under the authorities have been directed to dispose of spouse category cases

relating to allotment of cadre before issuing posting orders.

4. In view of the submissions made by the Learned Counsels on both sides, without going into merits of the case, this Writ Petition is disposed of with a direction to the respondents to dispose of the representation filed by the petitioner on 15.07.2022 within four (4) weeks from the date of receipt of copy of this order. There shall be no order as to costs.

5. Miscellaneous petitions, if any, pending in this writ petition, shall also stand disposed of.

**SD/- P.Ch. NAGABHUSHAMBA
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To

1. The Principal Secretary, Health, Medical and Family Welfare Department, T.S. Secretariat, Hyderabad, State of Telangana.
2. The Commissioner of Health and Family Welfare, Telangana State, Hyderabad.
3. The Director, Public Health and Family Welfare, Hyderabad, TS.
4. Two CCs to GP FOR SERVICES-II, High Court for the State of Telangana, at Hyderabad. [OUT]
5. One CC to SRI GADI PRAVEEN KUMAR, Advocate [OPUC]
6. Two CD Copies

PSK.

GJP

HIGH COURT

DATED:01/02/2023

ORDER

WP.No.2787 of 2023



DISPOSING OF THE WRIT PETITION
WITHOUT COSTS.

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[Signature]
13/02/2023