

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

MONDAY, THE SIXTEENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SMT. JUSTICE P.MADHAVI DEVI

WRIT PETITION NO: 7414 OF 2022

Between:

CH. Radhika (Employee ID 2155334), W/o. Kandukuri Vidyasagar, Aged about 39 Years, Occ. School Assistant (English), Z.P. High School, Rajula Kothapally, Nellikuduru Mandal, Mahabubabad District, R/o. H.No. 3-18, Mondrai Post, Kodakandla Mandal, Jangaon District.

...PETITIONER

AND

1. The State of Telangana, Represented by its Principal Secretary, School Education Department, Telangana Secretariat, Hyderabad.
2. The Commissioner and Director of School Education, Government of Telangana State, 1st Floor, C Block, Saifabad, Hyderabad.
3. The District Educational Officer, Jangaon, Jangaon District.
4. The District Educational Officer, Mahabubabad, Mahabubabad District.
5. The District Educational Officer, Warangal, Warangal District.

...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 issue an appropriate writ, order or direction, more particularly one in the nature of Writ of Mandamus a) to declare the action of the respondents in allotting the petitioner to newly formed Mahabubabad District in the process of allotment of cadre to the district as per G.O.Ms. No. 317 Dated. 06-12-2021 instead of Jangaon District without considering her place of education and nativity as is illegal, arbitrary and contrary to the Public Employment (Organization of Local Cadres and Regulation of Direct Recruitment) Order, 1975 and per G.O Ms. No. 124 GA (SPF-MC) Department, Dated. 30-08-2018. b) to declare that the impugned Guide Line 22 of G.O Ms. No. 317, Dated. 06-12-2021 in so far as prescribing physical disability more than 70 percentage instead of 40 percentage for consideration under preferential category in the ensuing process

of allotment of Employees to new local cadres under Guide Line 22 of G.O Ms. No. 317, Dated. 06-12-2021 is contrary to The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 and The Rights of Persons with Disabilities Act, 2016 and not considering the employees who is having disability between 40 % to 69 % under preferential category in the ensuing process of allotment of Employees to new local cadres is nothing but creating a class within a class which is illegal, arbitrary and violative Art.14, 16 and 21 of constitution of India, and the same may be set-aside and c) to Consequently, declare that the petitioner should belong to newly formed Jangaon District as per her place of education and nativity as per the Public Employment (Organization of Local Cadres and Regulation of Direct Recruitment) Order, 1975 and per G.O Ms. No. 124 GA (SPF-MC) Department, Dated. 30-08-2018 and also declare that the petitioner who is having 40 percentage physical disability is entitled to be considered under preferential category as per The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 and The Rights of Persons with Disabilities Act, 2016, and d) to direct the respondents to consider the case of the petitioner for allotment to her native district i.e., newly formed Jangaon District in available vacancies of school assistant (English) as per her place of education and nativity/Residence certificate by set-aside the Allotment Proceeding No. ES/ES/WA/MBBD/SCAS/0462 dated. 22-12-2021

IA NO: 1 OF 2022

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 pass appropriate orders on the appeals Dated. 23-12-2021

Counsel for the Petitioner: SRI. A. V. V. S. BHUJANGA RAO

Counsel for the Respondents: GP FOR SERVICES III

The Court made the following: ORDER

THE HON'BLE SMT. JUSTICE P.MADHAVI DEVI

WRIT PETITION No.7414 of 2022

ORDER:

Learned counsel for the petitioner submitted that after filing of the Writ Petition, the request of the petitioner for transfer has been accepted and the respondents have posted the petitioner to her native district. Therefore, the petitioner has no further grievance in this matter.

2. Accordingly, this Writ Petition is closed. There shall be no order as to costs.

Miscellaneous applications, if any pending, shall also stand closed.

//TRUE COPY//

SD/- T.JAYASREE
ASSISTANT REGISTRAR
GD
SECTION OFFICER

To,

1. Two CCs to GP FOR SERVICES III, High Court for the State of Telangana at Hyderabad [OUT]
2. One CC to SRI A. V. V. S. BHUJANGA RAO, Advocate [OPUC]
3. Two CD Copies

BM
GJ

Handwritten signature

HIGH COURT

DATED:16/10/2023

ORDER

WP.No.7414 of 2022



**CLOSING THE WRIT PETITION
WITHOUT COSTS**

6
11/11/23
4/54