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APHC010641742025

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)

THURSDAY, THE 8th DAY OF OCTOBER 2026
PRESENT
THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY
WRIT PETITION NO: 24389 OF 2025

Between:

1. DESAVATHU TULASI VARALAKSHMI, W/o Sri D. Krishna, Aged about 43 Years, OcciSchool Assistant (Social Studies), MPUP School, Dwaraka Tirumala, Dwaraka Tirumala Mandal, Eluru District.

...Petitioner

AND

1. THE STATE OF AP, Rep. by its Principal Secretary, School Education Department, Secretariat Buildings, Velagapudi, Amaravathi, Andhra Pradesh.

2. The Director of School Education, Andhra Pradesh, Ibrahimpatnam, Krishna District.

3. The Regional Joint Director of School Education, Department of School Education, Kakinada, Andhra Pradesh.

4. The District Educational Officer, Eluru District, Andhra Pradesh.

5. The Mandal Educational Officer, Dwaraka Tirumala Mandal, Eluru 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 any Writ, Order, or Direction, particularly one in the nature of a writ of Mandamus, declaring the action of the Respondents in passing the impugned order RC.No. 931/A3/2025, dated 22.07.2025 as arbitrary, illegal, violative of Articles 14 and 16 of the Constitution of India and against G.O.Ms.No.22, dated 20.05.2025 and consequently set aside the impugned order RC.No. 931/A3/2025 dated 22.07.2025 by directing the respondents to consider and effect the transfer of the petitioner to the post of School Assistant (Social Studies) at Z.P.H.S., Chataparru, Eluru District and pass such other orders.

IA NO: 1 OF 2025

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 not to fill up the vacancy of School Assistant (Social Studies) at Z.P.H.S., Chataparru, Eluru District, and reserve the same for the Petitioner, and pass such other orders.

Counsel for the Petitioner: SRINIVASA RAO MADIRAJU

Counsel for the Respondents: GP FOR SERVICES II

Counsel for the Respondents: ADDL ADVOCATE GENERAL

WRIT PETITION NO: 33148 OF 2025

Between:

1. Banothu Danju, S/o. Budda, Aged about 49 years, R/o. Plot No. 64, Road No. 5, Mothevari Thota, Near NCC Canteen, Eluru, West Godavari

...Petitioner

AND

1. The State of Andhra Pradesh, Rep by its Principal Secretary School Department, Secretariat Building, Velagapudi, Guntur District

2. The Commissioner/Director of School Education, Venkatagiri Towers, Beside Happy Resorts, Mangalagiri, Atmakur

3. The Regional Joint Director, Kakinada, School Education Department, Kakinada

4. The District Educational Officer, Eluru, West Godavari 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 any writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not considering the petitioners request to transfer from ZPH School, Chanamilli, Eluru to ZPH School, Chattaparru, Eluru even after the disciplinary proceedings entitled against the writ petitioner have been dropped vide Rs.No. 5005/ (B7) (B3) B2/ 2018, dt.07.11.2025 and Rs.No.3418/ (B5) (B3) B2/

2020, dt. 07.11.2025 on spouse ground is illegal, arbitrary and against principles of natural justice and consequently direct the respondents to consider the petitioners request dt. 06.11.2025 of transfer from ZPH School, Chanamilli, Eluru to ZPH School, Chattaparru, Eluru on spouse ground and pass such other orders.

IA NO: 1 OF 2025

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 may be pleased to direct the respondents to keep the said post of School Assistant (Social Studies) in ZPH School, Chattaparru, Eluru vacant pending disposal of this writ petition and pass such other orders.

Counsel for the Petitioner: K V RAGHU VEER

Counsel for the Respondents: GP FOR SCHOOL EDUCATION

Counsel for the Respondents: ADDL ADVOCATE GENERAL

The Court made the following order:

Whether the order is :

Speaking Yes/No / Reasoned Yes/No
Reportable Yes/No / Non-Reportable Yes/No

HON'BLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION Nos.24389 and 33148 of 2025

COMMON ORDER:

1. W.P.No.24389 of 2025 is filed questioning the action of Respondents in passing the impugned order vide RC.No.931/A3/2025 dated 22.07.2025, as illegal and arbitrary.

2. W.P.No.33148 of 2025 is filed questioning the action of Respondents in not considering the Petitioner's request for transfer from ZPHS, Chanamilli Village, Eluru District to ZPHS, Chattaparru Village, Eluru Mandal even though the disciplinary proceedings against the Petitioner were dropped, as illegal and arbitrary.

3. The Petitioners in both the Writ Petitions are working as School Assistants (Social Studies) in MPUP School, DwarakaTirumala and ZPHS, Chanamilli Village, Nidamarru Mandal, Eluru District respectively.

4. The Petitioner in W.P.No.33148 of 2025 was issued a Charge-Memorandum in the year 2018 and on account of the same the case of the Petitioner was not considered for transfer under the General Transfers of Teachers, 2025 effected by the Respondent-department. Questioning the same, the Petitioner in the said Writ Petition filed W.P.No.20802 of 2025 and the same was disposed of directing the

Respondent-authorities to conclude the departmental enquiry and in default, to consider the case of Petitioner for transfer without reference to the Charge-Memorandum vide orders dated 11.08.2023. Subsequently, on 07.12.2025, the departmental enquiry was dropped. Thereafter, the Petitioner submitted a representation on 11.11.2025 seeking for transfer to ZPHS, Chataparru Village, Eluru District. As the same was not being considered, the W.P.No.33148 of 2025 was filed.

5. In the General Transfers of Teachers, 2025 effected by the Respondent-department, the Petitioner in W.P.No.24389 of 2025 had opted for ZPHS, Chataparru Village, Eluru District, but the request of the Petitioner was rejected, as there was no vacancy at that point of time. Subsequently, the vacancy arose on account of the retirement of an individual working in the said place as School Assistant (Social Studies) cadre on 09.06.2025. After the counselling, the Petitioner on coming to know of same gave a representation for posting him at the same place. However, the same was rejected by the concerned and hence W.P.No.24389 of 2025 was filed.

6. In short, both the Petitioners in the above Writ Petitions are claiming for transfer to the same post in ZPHS, Chataparru Village, Eluru District.

7. Sri Delhi Babu, learned Government Pleader attached to the office of Additional Advocate General would submit that the Petitioners are not entitled to be considered for transfer and the vacant post is to be filled up as per the General Transfers only and any deviation would result in disturbance of the teaching at the places in which the Petitioners are working and more so, in the middle of the academic year.

8. Heard the learned counsels.

9. In the course of arguments, it is informed to the Court by way of a table that there are vacancies in ZPHS, Chataparru, Eluru Mandal, ZPHS, Satrampadu, Eluru Mandal, MPUPS Sri Ramnagar Village, Eluru Mandal, MPUPS Lakshmipuram, Pedavegi Mandal, which are in short distance from ZPHS Chataparru Village.

10. The learned counsel for the Petitioners submit that the cases of the Petitioners can be considered for transfer to ZPHS, Chataparru Village as well as ZPHS, Satrampadu Village, Eluru District, taking note of their family scenario, as their spouses are working in nearby places.

11. Therefore, the Writ Petitions are disposed of, with the following directions;

i) The District Educational Officer, Eluru shall consider the cases of the Petitioners in both the Writ Petitions for transfer in respect of the posts in the schools mentioned above, where there are vacancies i.e., School Assistant (Social Studies) within a period of two (2) months from the date of receipt of a copy of this order;

ii) No order as to costs.

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

NYAPATHY VIJAY, J

Date: 08.10.2026

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HON'BLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION Nos. 24389 and 33148 of 2025

Date: 08.10.2026

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