

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

THURSDAY, THE TWENTY EIGHTH DAY OF MARCH
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE PULLA KARTHIK

WRIT PETITION NO: 7665 OF 2024

Between:

Dr.P.Madhusudhan Reddy, S/o P.Ananth Reddy, Age - 58 years, Occ- Junior Lecturer in Economics, Government Junior College, Saroornagar, Ranga Reddy District, R/o Flat No.302, Vaishnavai Nest Apartment, Moosrambagh, Hyderabad - 500036

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary to Government, Education Department, Telangana Secretariat, Hyderabad
2. The Director of Intermediate Education, Telangana, Hyderabad

...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 a writ order or direction especially one in the nature of writ of mandamus declaring that a)the action of the Respondents while reinstating the Petitioner in service vide Memo.No.415/VC/2023, dated 22/02/2024, decided to post him to a non-focal and far off area is illegal and arbitrary and the action of the 2nd Respondent in issuing consequential proceedings in No. CIE- SER2 / 172 / 2023- SER-II, dated 12.03.2024 posting the Petitioner as Junior Lecturer in Economics in Government Junior College, Kodair, Nagarkurnool district is illegal and arbitrary b)further declare that Petitioner is entitled to be continued as Junior Lecturer in Economics in Government Junior College, Saroornagar, Ranga Reddy district in pursuance of his reinstatement orders vide Memo.No.415 /VC/2023, dated 22.02.2024 or atleast the Respondents shall consider the case of the Petitioner for posting him in any one of the vacancies available in nearby viz., Hyderabad, Ranga Reddy and Medchal Malkajgiri district

IA NO: 1 OF 2024

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 forthwith consider and pass appropriate orders on the representation of the Petitioner dated 18/03/2024 for posting him as Junior Lecturer Economics in any one of the vacancies mentioned in his representation dated 18/03/2024

Counsel for the Petitioner: SRI. SRINIVASA RAO MADIRAJU

Counsel for the Respondents: GP FOR SERVICES

The Court at the admission stage made the following: ORDER

THE HONOURABLE SRI JUSTICE PULLA KARTHIK

WRIT PETITION No.7665 OF 2024

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed seeking the following relief:

“...to issue a writ order or direction especially one in the nature of writ of mandamus declaring that;

- a) the action of the Respondents while reinstating the Petitioner in service vide Memo.No.415/VC/2023, dated 22.02.2024, decided to post him to a non-focal and far off area is illegal and arbitrary and the action of the 2nd Respondent in issuing consequential proceedings in No.CIE-SER2/172/2023-SER-II, dated 12.03.2024, posting the Petitioner as Junior Lecturer in Economics in Government Junior College, Kodair, Nagarkurnool district is illegal and arbitrary.
- b) further declare that Petitioner is entitled to be continued as Junior Lecturer in Economics in Government Junior College, Saroornagar, Ranga Reddy district in pursuance of his reinstatement orders vide Memo.No.415/VC/2023, dated 22.02.2024 or atleast the Respondents shall consider the case of the Petitioner for posting him in any one of the vacancies available in nearly viz., Hyderabad, Ranga Reddy and Medchal Malkajgiri district...”

2. Heard Sri Srinivasa Rao Madiraju, learned counsel appearing for the petitioner and learned Government Pleader for Services, appearing on behalf of respondent Nos.1 and 2. With their consent, this writ petition is taken up for disposal at admission stage.

3. Learned counsel for the petitioner submits that the petitioner joined in service as Junior Assistant in 1991 and he was later promoted as Junior Lecturer in Economics in the year 2000. Thereafter, the petitioner was also elected as the President of the Government Junior Lecturers Association, Telangana. He further submits that while the petitioner was

working as Junior Lecturer at Government Junior College, Saroornagar, Hyderabad, he was suspended from service w.e.f., 05.10.2019, on the ground that the Anti-Corruption Bureau, Telangana, has registered a case against him vide Crime No.31/RCA-CR1/2019 dated 03.10.2019 under Section 13(1)(b) r/w. 13(2) of the Prevention of Corruption Act, 1988, alleging that he possessed assets disproportionate to his income. Learned counsel further submits that after a lapse of nearly 4¹/₂ years, respondent No.1 has decided to revoke the suspension order and to post the petitioner to a non-focal and far off area, vide Memo No.415/VC/2023 dated 22.02.2024. Consequently, respondent No.2 has reinstated the petitioner into service and posted him to work at Government Junior College, Kodair, Nagarkurnool District vide proceedings in File No.CIE-SER2/172/2023-SER-II dated 12.03.2024. Learned counsel further submits that in addition to his duties as Junior Lecturer, the petitioner is also working as the President of the Government Junior Lecturers Association, Telangana, and he is at the verge of his retirement. Furthermore, the petitioner's wife is also working as Lecturer in Botany at TWREIS, Mahendra Hills, Hyderabad. However, without considering the said aspects, respondent No.2 has posted the petitioner to work at Government Junior College, Kodair, Nagarkurnool District, even though there are several vacancies available in Government Junior Colleges at Hyderabad and Ranga Reddy Districts. As such, the petitioner submitted a representation to respondent No.2 on 18.03.2024 requesting to post him in any of the vacancies available in either of the nearby districts i.e.,

Hyderabad, Ranga Reddy or Medchal Malkajgiri Districts. However, no action has been taken thereon. Therefore, learned counsel prays this Court to direct respondent No.2 to consider the representation of the petitioner dated 18.03.2024 and pass appropriate orders within a reasonable period of time.

4. Learned Government Pleader for Services, appearing on behalf of the respondents, fairly submits that respondent No.2 will consider the representation of the petitioner dated 18.03.2024, and pass appropriate orders in accordance with law.

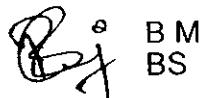
5. Having regard to the rival submissions made by the respective parties, without going into merits of the case, the Writ Petition is disposed of directing respondent No.2 to consider the representation of the petitioner dated 18.03.2024, and pass appropriate orders thereon, in accordance with law, within a period of two (02) weeks from the date of receipt of a copy of this order, and communicate a copy thereof to the petitioner.

Miscellaneous petitions, if any, pending in this writ petition, shall stand closed. No costs.

SD/-V. HARI PRASAD
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Principal Secretary to Government, Education Department, Telangana Secretariat, T.S., Hyderabad
2. The Director of Intermediate Education, Telangana, Hyderabad
3. Two CCs to GP FOR SERVICES ,High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to SRI. SRINIVASA RAO MADIRAJU, Advocate [OPUC]
5. Two CD Copies


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CC TODAY

HIGH COURT

DATED:28/03/2024



ORDER

WP.No.7665 of 2024

DISPOSING OF THE WRIT PETITION AT THE
ADMISSION STAGE WITHOUT COSTS

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3/4/24
D.R