

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

THURSDAY, THE TWENTY NINTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HON'BLE SRI JUSTICE PULLA KARTHIK

**WRIT PETITION NOS: 22592, 22640, 22649, 22676, 22820, 22836 AND
22735 OF 2024**

WP NO.22592 OF 2024:

Between:

K. Venugopal, S/o Veeraiah, Age 57 Years, Occ MPHEO (Under Transfer), R/o Sai Vaishnavi Nilayam, Padmalaya Nagar, Road No. 4, Hayath Nagar, Ranga Reddy Dist.

...PETITIONER

AND

1. State of Telangana, Represented by Principal Secretary to Government, Finance Department, Secretariat, Hyderabad
2. State of Telangana, Represented by Secretary to Health, Medical and Family Welfare, Government of Telangana, Secretariat, Hyderabad.
3. Commissioner of Health and Family Welfare, Koti, Hyderabad.
4. Director of Public Health and Family Welfare, Koti, 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 an appropriate writ, order, or direction, particularly in the nature of a writ of mandamus, declaring the proceedings No. Rc.977/ E4-B/Z-VI/2024, dated 27-07-2024, issued by the 4th Respondent, which transferred the Petitioner to PHC Mominpet, Ranga Reddy District, as illegal, arbitrary, and contrary to the options exercised during the general transfer counselling held on 20-07-2024 and in violation of Clauses 5(A)(i), 6(c), and 7 of G.O. Ms No. 80 Finance (HRM-I) Department, dated 03-07-2024, and G.O. Ms No. 7 Finance (HRM-III) Department, dated 24-01-2011. The petitioner further prays that this Hon'ble Court may set aside the said proceedings and direct the Respondents to effect the transfer as per the options exercised during the transfer counselling held on 20-07-2024, in strict compliance with Clause 5(A)(iv) and Clause 7 of G.O. Ms No. 80 Finance (HRM-I) Department, dated 03-07-2024, and G.O. Ms No. 7

Finance (HRM-III) Department, dated 24-01-2011, without reference to G.O.Ms.No.87, Fin. (HRM-I) Department, dated 31.07.2024.

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 suspend the operation of proceedings No. Rc. No. Rc.977/ E4-13/Z-VI/2024, dated 27-07-2024, issued by the 4th Respondent, transferring the Petitioner to PHC Chandanvalli, Ranga Reddy District and the Respondents be directed to consider afresh the options exercised by the Petitioner in terms of Clause 5(A)(iv) and Clause 7 of G.O. Ms No. 80 Finance (HRM-I) Department, dated 03-07-2024, read with G.O. Ms No. 7 Finance (HRM-III) Department, dated 24-01-2011, at the time of counselling without reference to G.O.Ms.No.87, Fin. (HRM-I) Department. dated 31.07.2024, and joining of the Petitioner at the place of posting

Counsel for the Petitioner: SMT. A. DEEPTHI

Counsel for Respondents: GP FOR SERVICES – I

WP NO: 22640 OF 2024

Between:

G. Srinivasulu, S/o G. Somaiah, Age. 52 Years, Occ. MPHEO (Under transfer) R/o 3-8-380/1, Road No-4, Suryodaya Colony, Saroor Nagar, L.B. Nagar, R.R. District
...PETITIONER

AND

1. State of Telangana, Represented by Principal Secretary to Government, Finance Department, Secretariat, Hyderabad.
2. State of Telangana, Represented by Secretary to Health, Medical and Family Welfare, Government of Telangana, Secretariat, Hyderabad.
3. Commissioner of Health and Family Welfare, Koti, Hyderabad.
4. Director of Public Health and Family Welfare, Koti, 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 an appropriate writ, order, or direction, particularly in the nature of a writ of mandamus, declaring the proceedings No. Rc.977/ E4-B/Z-VI/2024, dated 27-07-2024, issued by the 4th Respondent, which transferred the Petitioner to PHC Peddemul, Vikarabad District, as illegal, arbitrary, and contrary to the options exercised as per Clause 7 during the general transfer counselling held on 20-07-2024 and in violation of Clauses 5(A)(i) and 6(c) of G.O. Ms No. 80 Finance (HRM-I) Department, dated

03- 07-2024, read with G.O. Ms No. 7 Finance (HRM-III) Department, dated 24-01-2011. The petitioner further prays that this Hon'ble Court may set aside the said proceedings and direct the Respondents to effect the transfer as per the options exercised during the transfer counselling held on 20-07-2024, in strict compliance with Clause 5(A)(iv) and Clause 7 of G.O. Ms No. 80 Finance (HRM-I) Department, dated 03-07-2024, read with G.O. Ms No. 7 Finance (HRM-III) Department, dated 24-01-2011, without reference to G.O.Ms.No.87, Fin. (HRM-I) Department, dated 31.07.2024 and joining of the Petitioner

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 suspend the operation of proceedings No. Rc. No. Rc.977/ E4-B/Z-VI/2024, dated 27-07-2024, issued by the 4th Respondent, transferring the Petitioner to PHC Peddemul, Vikarabad District and the Respondents be directed to consider afresh the options exercised by the Petitioner in terms of Clause 5(A)(iv) and Clause 7 of G.O. Ms No. 80 Finance (HRM-I) Department, dated 03-07-2024, read with G.O. Ms No. 7 Finance (HRM-III) Department, dated 24-01-2011, at the time of counselling without reference to G.O.Ms.No.87, Fin. (HRM-I) Department, dated 31.07.2024, and joining of the Petitioner at the place of posting

Counsel for the Petitioner: SMT. A. DEEPTHI

Counsel for Respondents: GP FOR SERVICES – I

WP NO: 22649 OF 2024

Between:

G. Niranjan, S/o Janardan Rao, Age- 57 Years, Occ- MPHEO(Under Transfer), R/o Flat No. 301, H.No. 11-5-414, Road No. 10, Sri Venkateswara Colony, Saroor Nagar, Hyderabad- 500035

...PETITIONER

AND

1. State of Telangana, Represented by Principal Secretary to Government, Finance Department, Secretariat, Hyderabad
2. State of Telangana, Represented by Secretary to Health, Medical and Family Welfare, Government of Telangana, Secretariat, Hyderabad.
3. Commissioner of Health and Family Welfare, Koti, Hyderabad.
4. Director of Public Health and Family Welfare, Koti, 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 an appropriate writ, order, or direction, particularly in the nature of a writ of mandamus, declaring the proceedings No. Rc.977/ E4-B/Z-VI/2024, dated 27/07/2024, issued by the 4th Respondent, which transferred the Petitioner to PHC Chandanvalli, Ranga Reddy District. as Legal. arbitrary, and contrary to the options exercised as per Clause 7 during the general transfer counselling held on 20-07-2024 and in violation of Clauses 5(A)(i) and 6(c) of G.O. Ms No. 80 Finance (HRM-I) Department, dated 03-07-2024, read with G.O. Ms No. 7 Finance (HRM-III) Department, dated 24-01-2011. The petitioner further prays that this Hon'ble Court may set aside the said proceedings and direct the Respondents to effect the transfer as per the options exercised during the transfer counselling held on 20-07-2024, in strict compliance with Clause 5(A)(iv) and Clause 7 of G.O. Ms No. 80 Finance (HRM-I) Department, dated 03-07-2024, read with G.O. Ms No. 7 Finance (HRM-III) Department, dated 24-01-2011, without reference to G.O. Ms. No. 87, Fin. (HRM-I) Department. dated 31.07.2024 and joining Petitioner

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 suspend the operation of proceedings No. Rc. No. 977/E4-B/Z-VI/2024, dated 27-07-2024 issued by the 4th Respondent transferring the petitioner to PHC Chandanvalli, Ranga Reddy District and the respondents be directed to consider afresh the options exercised by the petitioner in terms of Clause 5(A)(iv) and Clause 7 of G.O. Ms. No. 80, Finance (HRM-I) Department, dated 03-07-2024 read with G.O. Ms. No. 7, Finance (HRM-III) Department, dated 24-01-2011 at the time of counselling without reference to G.O. Ms. No. 87, Fin. (HRM-I) Department, dated 31-07-2024 and joining of the petitioner at the place of posting

Counsel for the Petitioner: SMT. A. DEEPTHI

Counsel for Respondents: GP FOR SERVICES – I

WP NO: 22676 OF 2024

Between:

M. Srinivasulu, S/o Anthaiah, Age. 53, Occ. MPHEO R/o. E-117, Sulakshan PNR Apartments, Hashthinapuram, R.R. District.

...PETITIONER

AND

1. The State of Telangana, Represented by Principal Secretary to Government, Finance Department, Secretariat, Hyderabad.

2. The State of Telangana, Represented by Secretary to Health, Medical and Family Welfare, Government of Telangana, Secretariat, Hyderabad.
3. Commissioner of Health and Family Welfare, Koti, Hyderabad.
4. Director of Public Health and Family Welfare, Koti, 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 any order or direction writ or writs more particularly on in the nature of WRIT OF MANDAMUS, declaring the proceedings No. Rc.977/ E4-B/Z-VI/2024, Dt 27- 07-2024 issued by 4th Respondent transferring the Petitioner to PHC Nizampet, Sanga Reddy District, despite considering Petitioners first option i.e., retention at Gandhi Medical College, Secunderabad during transfer counselling held on 20-7-2024 in terms of Clauses 5 (A) (i), 6(c) and 7 of G.O. Ms No. 80 Finance (HRM-I) Dept, Dt. 03-07- 2024, contrary to the options exercised during general transfer counselling and to the Clause 5 (A)(i), 6 (c) and 7 of G.O. Ms No. 80 Finance (HRM-I) Dept, Dt. 03-07-2024 as illegal, bad, arbitrary and to set aside the same and consequently direct the Respondents to effect transfer as per the options exercised during transfer counselling held on 20- 07-2024 strictly in terms of Clause 5 (A)(i) and 7 of G.O. Ms No. 80 Finance (HRM-I) Dept, Dt. 03-07-2024 without reference to G.O.Ms. No.87, Fin. (HRM-I) Department dt. 31.07.2024 and subsequent joining of the Petitioner in place of posting

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 suspend operation of proceedings No. Rc. 977/E4-B/Zone-VI/2024 Dt. 27-07-2024 issued by the 4th Respondent transferring the Petitioner to PHC Nizampet, Sanga Reddy District and direct the Respondents to consider the options exercised by the Petitioner afresh in terms Clause 5 (A)(i) and Clause 7 of GO Ms No. 80 Finance (HRM-I) Dept Dt. 03-07-2024 without reference to G.O.Ms.No.87, Fin. (HRM-I) Department dt. 31.07.2024 at the time of counselling and joining of the Petitioner at the place of posting

Counsel for the Petitioner: SMT. A. DEEPTHI

Counsel for Respondents: GP FOR SERVICES – I

WP NO: 22820 OF 2024

Between:

N. Ravinder, S/o Bhuma Reddy, Age. 57 Years, Occ. Pharmacist Gr-II,
H.No. 72-C-EWSH 1-1-80, Hosing Road Colony, Old Adilabad, Adilabad

...PETITIONER(S)

AND

1. State of Telangana, Represented by Principal Secretary to Government, Finance Department, Secretariat, Hyderabad.
2. State of Telangana, Represented by Secretary to Health, Medical and Family Welfare, Government of Telangana, Secretariat, Hyderabad.
3. Commissioner of Health and Family Welfare, Koti, Hyderabad.
4. Director of Public Health and Family Welfare, Koti, 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, particularly one in the nature of a writ of mandamus, declaring the proceedings No. Rc. 7253/E4-II.G/Z-I/2024, dated 27-07-2024, issued by the 4th Respondent, transferring the Petitioner to CHC Armoor, despite considering the Petitioner's first option to retain at RIMS, Adilabad during transfer counselling held on 20-07-2024, as illegal, arbitrary, and in violation of Clause 6(C) and 7 of G.O. Ms No. 80 Finance (HRM-I) Department, dated 03-07-2024 and consequently, direct the Respondents to effect the transfer as per the options exercised during the transfer counselling held on 20-07-2024, strictly in terms of Clause 6(D), and 7 of G.O. Ms No. 80 Finance (HRM-I) Department, dated 03-07-2024, without reference to G.O. Ms.No. 87 Finance (HRM-I) Department, dated 31-07-2024.

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 suspend the operation of proceedings No. Rc. 7253/E4- II.G/Z-I/2024, dated 27-07-2024, issued by the 4th Respondent transferring the Petitioner to CHC Armoor, and direct the Respondents to reconsider the options exercised by the Petitioner afresh, in terms of Clause 6(C) and 7 of G.O. Ms No. 80 Finance (HRM-I) Department, dated 03-07-2024, during the transfer counseling, without reference to G.O. Ms. No. 87 Finance (HRM-I) Department, dated 31-07-2024

Counsel for the Petitioner: SMT. A. DEEPTHI

Counsel for Respondents: GP FOR SERVICES – I

WP NO: 22836 OF 2024

Between:

R. Ramulu, S/o Rajalingam, Age. 55 years, Occ. Lab TechGr-II(Under Transfer) R/o H.No.6-4-233, Pochammawada, Jagityal District.

...PETITIONER

AND

1. The State of Telangana, Represented by Principal Secretary to Government, Finance Department, Secretariat, Hyderabad.
2. The State of Telangana, Represented by Secretary to Health, Medical and Family Welfare, Government of Telangana, Secretariat, Hyderabad.
3. Commissioner of Health and Family Welfare, Koti, Hyderabad.
4. Director of Public Health and Family Welfare, Koti, 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 of mandamus declaring the proceedings No. Rc. 7252/E4-II.G/Z-11/2024 dated 27-07-2024, issued by the 4th Respondent, as illegal, arbitrary, and in violation of Clause 6(D) and Clause 7 of G.O. Ms No. 80, Finance (HRM-I) Department, dated 03-07-2024 and consequently, direct the Respondents to effect the Petitioner's transfer as per the options exercised during the transfer counselling held on 20-07-2024, in strict compliance with G.O. Ms No. 80, Finance (HRM-I) Department, dated 03-07-2024, without reference to G.O. Ms No. 87, Finance (HRM-I) Department, dated 31-07-2024 and my joining at the place of posting

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 suspend the operation of the proceedings No. Rc. 72521E4- II.G/Z-11/2024 dated 27-07-2024 and direct the Respondents to reconsider the transfer options exercised by the Petitioner afresh as per Clause 6(D) and Clause 7 of G.O. Ms No. 80, Finance (HRM-I) Department, dated 03-07-2024, without reference to G.O. Ms No. 87, Finance (HRM-I) Department, dated 31-07-2024 and the Petitioner's joining at the place of posting,

Counsel for the Petitioner: SMT. A. DEEPTHI

Counsel for Respondents: GP FOR SERVICES – I

WP NO: 22735 OF 2024

Between:

Chandupatla Sudheer Reddy, S/o Chandra Reddy, Aged about 42 years, Occ: **Lab Technician Grade – II**, Under Transfer to PHC, Tallapet, Mancherial District.

...PETITIONER

AND

1. The State of Telangana, rep. by its Principal Secretary, Medical Health and Family Welfare Department, Dr. B.R. Ambedkar Telangana Secretariat, Hyderabad - 500 022
2. The Director, Public Health and Family Welfare, Government of Telangana, Hyderabad.
3. The District Medical and Health Officer, Mancherial, Mancherial District.
4. The Medical Officer, Primary Health Centre, Nennel, Mancherial District.
5. The Medical Officer., Primary Health Centre. Tallapet, Mancherial District
6. The Medical Officer, Primary Health Centre Bellampalli, Mancherial District.

(As per C.O. dated 23.10.2024 vide IA No.2 of 2024 in WP No.22735 of 2024, C.T. is amended)

...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, to declare impugned proceedings Ro.No.7252/E4-II.G/Z-I/2024 Dt.27/07/2024 of the 2nd respondent as illegal, arbitrary and violative enforceable guidelines issued in G.O.Ms.No.80 Dt.03/07/2024 and set-aside the same and consequently direct respondents to issue modified orders posting the petitioner in one of the places opted on 12/07/2024 on priority in Annexure-II immediately without reference to the impugned proceedings

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 issue modified orders posting the petitioner in one of the places opted on 12-07-2024 on priority in Annexure-II without reference to the impugned proceedings Ro.No.7252/E4-II.G/Z-I/2024 Dt.27-07-2024 of the 2nd respondent, pending disposal of writ petition

Counsel for the Petitioner: SMT. A. DEEPTHI REP. FOR SRI K. RAM REDDY

Counsel for Respondents: GP FOR SERVICES

The Court made the following: COMMON ORDER

THE HON'BLE SRI JUSTICE PULLA KARTHIK

W.P.Nos.22592, 22640, 22649, 22676, 22820,
22836 and 22735 of 2024

COMMON ORDER:

Since the grievance of the petitioners in all these writ petitions is one and the same, they are taken up together and being disposed of by this common order, at the stage of admission itself, with the consent of the parties.

2. Heard Smt.A.Deepthi and Sri K. Ram Reddy, learned counsel for the petitioners respectively, and the learned Government Pleader for Services-I appearing for all the respondents, and perused the record

3. The main grievance of the petitioners in all these writ petitions is that the respondents, without considering the options exercised by them in the transfer counseling, have effected transfers contrary to the guidelines issued in G.O.Ms.No.80, Finance (HRM.I) Department dated 03.07.2024.

4. The learned Government Pleader for Services, on instructions, submits that the respondents will re-consider the options exercised by the petitioners and issue posting orders, if nobody is posted in the places where the petitioners have opted.

5. Having regard to the submissions made by the respective parties, without going into merits of the matter, all the writ petitions are disposed of, directing the respondents to re-consider the options exercised by the petitioners at the time of transfer counseling and issue posting orders, if nobody is posted in the places where the petitioners have opted, without reference to the impugned transfer proceedings. The respondents shall also follow strictly the transfer guidelines issued in G.O.Ms.No.80, dated 03.07.2024. The entire exercise shall be completed as expeditiously as possible, preferably within a period of two weeks from the date of receipt of a copy of this order and communicate the decision to the petitioners herein.

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

There shall be no order as to costs.

SD/- P. GOWRI SHANKAR
ASSISTANT REGISTRAR

NOTE: That the designation of the petitioner in W.P.No.22735 of 2024 is wrongly read as "**Pharmacy Grade-II**" instead of "**Lab Technician Grade-II**" while dispatching the Order dated 29.08.2024 in W.P.Nos.22592, 22640, 22649, 22676, 22820, 22836 & 22735 of 2024 and the same is corrected as per the Orders of Hon'ble Court dated 23.10.2024 in I.A.No.2 of 2024.

This amended order shall substitute the earlier order which has already been dispatched on 02.09.2024.

SD/- P. GOWRI SHANKAR
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary to Government, Finance Department, State of Telangana, Secretariat, Hyderabad
2. The Secretary to Health, Medical and Family Welfare, State of Telangana, Secretariat, Hyderabad.

3. The Commissioner of Health and Family Welfare, Koti, Hyderabad.
4. The Director of Public Health and Family Welfare, Koti, Hyderabad.
5. The District Medical and Health Officer, Mancherial, Mancherial District.
6. The Medical Officer, Primary Health Centre, Nennel, Mancherial District.
7. The Medical Officer, Primary Health Centre, Tallapet, Mancherial District.
8. The Medical Officer, Primary Health Centre Bellampalli, Mancherial District.
9. One CC to Smt. A. Deepthi Advocate [OPUC]
10. Two CCs to GP For Services, High Court for the State of Telangana. [OUT]
11. One CC to Sri K. Ram Reddy, Advocate(OPUC)
12. Two CD Copies

MBC

BS



HIGH COURT

DATED: 29/08/2024
23/10/2024



AMENDED COMMON ORDER

**WP NOS: 22592, 22640, 22649, 22676, 22820, 22836 AND
22735 OF 2024**

DISPOSING OF THE WRIT PETITIONS

WITHOUT COSTS

15
08/11/24
b.m.