

PROCEEDINGS OF THE DIRECTOR OF SCHOOL EDUCATION
ANDHRA PRADESH :: AMARAVATI :: IBRAHIMPATNAM

Present: Sri. V.Chinaveerabhadru, I.A.S.,

Procs.Rc.No.13029/11/2020-EST 3. Dated:30-1-2021

Sub:- School Education – Certain court cases filed in the Hon'ble High Court of Andhra Pradesh with regard to Merging of Teachers working in Govt./ ZPP/ MPP Schools to the Schools located in Municipalities / Municipal Corporations during the Teachers Transfers-2020– implementation final orders common Orders issued by the Hon'ble High Court of AP on 25-01-2021 in respect of 30 WPs – Certain Instructions – Issued.

Ref:- 1) This office proceedings Rc.No.13029/11/2020-EST 3, Dt. 08.01.2020.
2)Final orders/Common orders of the Hon'ble High Court of AP on 25-01-2021 in respect of 30 WPs.

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ORDER:

All the District Educational Officers in the State are informed that, instructions have been issued with regard to implementation of certain court cases filed in the Hon'ble High court regarding merging of teachers working in MPP/ZPP/Govt. Schools to the Schools located in Municipalities / Municipal Corporations vide reference 1st read above.

2. The Hon'ble High court of AP in common orders dated 25-01-2021, dismissed WP Nos.20458, 20725, 20755, 20789, 20808, 20816, 20924, 20937, 20942, 20948, 20951, 20963, 20976, 20990, 21013, 21016, 21024, 21038, 21069, 21082, 21084, 21101, 21112, 21293, 21307, 21308, 21371, 21693 of 2020 and 1407, 1420 of 2021 and passed orders as follows: -

"In view of my discussion, the petitioners have no right to continue to work in the same school or to claim writ of mandamus, in view of the future contingencies without any right in praesenti. Therefore, no writ of mandamus can be issued declaring the action of the respondents as illegal, arbitrary and it does not amount to violation

of Articles 14, 19 and 21 of the Constitution of India, as transfer is an incidence of service, as held by the Courts in the judgments referred supra. Therefore, I hold the point against the petitioners and in favour of the respondents.

In view of my foregoing findings recorded in Point Nos. 1 to 3, I am of the considered view that these writ petitioners are not entitled to claim any relief, even the alternative relief. Hence, I find no ground to grant the relief as claimed by these petitioners and the writ petitions are liable to be dismissed.

In the result, writ petitions are dismissed. No costs.

Consequently, miscellaneous petitions pending if any, shall also stand dismissed."

3. Therefore, the RJDSEs/ District Educational Officers concerned are requested to follow the final orders issued by the Hon'ble High Court of A.P in the above WPs and relieve the teachers who come under the purview of the common orders issued by the Hon'ble High Court on 25-01-2021, from the respective schools immediately (in which they are retained in the same school even though completed 8 years of service) and keep them in the DEO pool.

4. Detailed guidelines will be issued separately.

5.The District Education Officers and Regional Joint Directors of School Education are requested to acknowledge the receipt of these orders and comply with the above instructions at once.

**VADREU CHINAVEERABHADRUDU
DIRECTOR, SCHOOL EDUCATION**

To

All the Regional Joint Directors of School Education in the State.

All the District Educational Officers in the state.

Copy submitted to the Principal Secretary to Government, School Education Department, A.P.

Copy to the Government Pleader for Services-III, Hon'ble High Court of A.P. for favour of information.

Copy to the Additional PS to Hon'ble Minister for Education, AP, Amaravathi