



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

[3460]

FRIDAY, THE TWENTY FIFTH DAY OF JULY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 20868/2023

Between:

1. KAMATAM GOPI, S/O PENCHALA NARASIMHULU AGED 39 YEARS,
OCC. SGT RIO MPUPS G.CHERUVUPALLE NELLORE,

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL
SECRETARY, SCHOOL EDUCATION DEPARTMENT, SECRETARIAT,
VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT.

2. THE COMMISSIONER OF SCHOOL EDUCATION SCHOOL
EDUCATION DEPARTMENT, VIJAYAWADA, AMARAVATHI, ANDHRA
PRADESH.

3. THE REGIONAL JOINT DIRECTOR, SCHOOL EDUCATION
DEPARTMENT, GUNTUR

4. THE DISTRICT EDUCATIONAL OFFICER, NELLORE, NELLORE
DISTRICT, ANDHRA PRADESH

5. THE MANDAL EDUCATION OFFICER ANANTHASAGARAM M,
NELLORE

...RESPONDENT(S):

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 order, writ or direction, more particularly one in the nature of WRIT OF HABEAS CORPUS declaring the action of respondents not considering the request of petitioner for adding the service points for the service rendered as junior assistant in ZP School in order to protect the service of petitioner in the ensuring transfer counselling is illegal arbitrary and violative of Articles 14, 16 and 21 of the Constitution of India and

further declare that the petitioner is entitled to be counted his service points of the service rendered as Junior Assistant in ZP School and set aside the transfer order issued by 4th respondent vide Rc.No.SPL/Nellore/2023 dated 10.06.2023 and revise the transfer orders issued by 4th respondent (ii) To set aside the proceeding issued by 3rd respondent vide Rc.No. ESE02-11021/G7/202-BSEC-RID-GNT dated 07.07.2023 and pass such

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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 continue the service of petitioner at MPPPS Gowravaram, Ananthasagaram, Nellore pending disposal of the above writ petition in the interest of justice and pass such

Counsel for the Petitioner:

1.PAMARTHY RATHNAKAR

Counsel for the Respondent(S):

1.GP FOR SERVICES III

The Court made the following:

THE HON'BLE SRI JUSTICE NYAPATHY VIJAY**WRIT PETITION No.20868 OF 2023****ORDER:**

The present writ petition is filed declaring the action of the Respondents in not considering the request of Petitioner for adding the service points for the service rendered as Junior Assistant in Zilla Parishad School in order to protect the service of Petitioner in the ensuring transfer counselling as illegal and arbitrary.

2. The case of the Petitioner is that the Petitioner was initially appointed as Junior Assistant by the District Selection Committee in 2007 and working in Zila Parishad High School, Chilakalamurthy Anantasagaram Mandal. Subsequently, the Petitioner participated in DSC 2012 and was qualified as Secondary Grade Teacher (SGT) on 29.12.2012. While so, the Petitioner was transferred from MPPS Gowravaram to MPUPS, G.Chervupalle, Nellore District.

3. The grievance of the Petitioner is that the service as Junior Assistant i.e. from 2007 to 2012 was not taken into consideration and that would enable him to seek for better postings as per the Andhra Pradesh Teacher (Regulation of Transfers) Rules, 2023.

4. Sri A.Sharat Kumar, learned Assistant Government Pleader would submit that the past service as Junior Assistant cannot be counted as the rules are specifically framed for transfers of teachers.

5. Heard respective counsels.

6. On the basis of the points scored, the preferences would be given to the individuals as per Rule 6(iv) of the Rules in transfers. The contention of the learned counsel for the Petitioner is that the service as Junior Assistant should also be reckoned does not appear to be correct for the reason that the rules are specifically framed for the cadre of teachers as the nomenclature of the rules speaks for themselves. Secondly, the appointment of petitioner after an independent selection process is a fresh appointment and past service as Junior Assistant cannot be taken into consideration for any purpose. This Court does not find any merit in the present petition.

7. Accordingly, the Writ Petition is dismissed. There shall be no order as to costs.

Consequently, miscellaneous applications, if any, pending shall stand closed.

NYAPATHY VIJAY, J

Date: 25.07.2025.
SCS

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THE HON'BLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 20868/2023

**Date: 25.07.2025.
SCS**