



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF DECEMBER, 2025

PRESENT

THE HON'BLE MR. JUSTICE B M SHYAM PRASAD

AND

THE HON'BLE MR. JUSTICE T.M.NADAF

WRIT PETITION NO. 37272 OF 2025 (S-KSAT)

BETWEEN:

SRI H S JAKKER AHAMED
S/O S.R IBRAHIM SAB
AGED ABOUT 55 YEARS,
PRESENTLY WORKING AS
ASSISTANT ADMINISTRATIVE OFFICER,
GENERAL HOSPITAL,
SHIDLAGHATTA TALUK,
CHIKKABALLAPUR DISTRICT,
RESIDING AT HOSPITAL QUARTERS,
SHIDLAGHATTA, SHIDLAGHATTA TALUK
CHIKKABALLAPUR DISTRICT- 562101.

...PETITIONER

(BY SRI. NITYANAND V NAIK., ADVOCATE)

AND:

1. THE PRINCIPAL SECRETARY TO
THE GOVERNMENT
DEPARTMENT OF HEALTH AND



FAMILY WELFARE SERVICES
VIKASA SOUDHA,
BENGALURU- 560001.

2. THE COMMISSIONER,
HEALTH AND FAMILY
WELFARE SERVICES,
AROGYA SOUDHA,
BENGALURU-560023.
3. THE DIRECTOR,
HEALTH AND FAMILY
WELFARE SERVICES,
AROGYA SOUDHA,
BENGALURU-560023.
4. THE DISTRICT HEALTH OFFICER,
SHIDLAGHATTA TALUK,
CHICKBALLAPUR DISTRICT,
CHICKBALLAPURA- 562101.

...RESPONDENTS

(BY SRI.V SHIVAREDDY., AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE WRIT, ORDER OR DIRECTION IN THE NATURE OF CERTIORARI QUASHING THE IMPUGNED ORDER DATED 20.11.2025 PASSED BY THE KARNATAKA STATE ADMINISTRATIVE TRIBUNAL IN APPLICATION No. 3797/2025 VIDE ANNEXURE-A, AND TO ALLOW THE APPLICATION IN OA No. 3797/2025 AS PRAYED FOR VIDE ANNEXURE-B. IN THE INTEREST OF JUSTICE AND EQUITY BY GRANTING FURTHER



NECESSARY ORDERS OR DIRECTIONS AS THIS HONBLE COURT DEEMS FIT AND PROPER IN THE FACTS AND CIRCUMSTANCES OF THE CASE INCLUDING AN ORDER AS TO THE COST OF THIS PETITION.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE B M SHYAM PRASAD
and
HON'BLE MR. JUSTICE T.M.NADAF

ORAL ORDER

(PER: HON'BLE MR. JUSTICE B M SHYAM PRASAD)

The petitioner is working as an Assistant Administrative Officer at Shidlaghatta Taluk, Chikkaballapur District from 27.01.2022 and he has filed his application in No.3797/2025 with the Karnataka State Administrative Tribunal, Bengaluru [for short, '*the Tribunal*'] for directions to the respondents to consider his request for transfer in terms of his application dated 30.05.2025. The Tribunal, by the impugned order dated 20.11.2025 [*Annexure-A*], has opined that the petitioner has not



made out a case because he has not produced the requisite certificate from the Medical Board which is a mandatory requirement if request is to be considered on priority under Rule 6(3)(1) of the Karnataka Civil Services (Regulation of Transfer of Medical Officers and other Staff), 2025. The petitioner's case is that he has the responsibility of looking after his father, who is 88 years old and he has a heart condition which requires constant monitoring by cardiologists and that such facility is not available in Shidlagatta and therefore is seeking for transfer to Chithradurga or other place where there is cardiac facility.

Sri Nithyanand V. Naik, the learned counsel for the petitioner, submits that the petitioner along with his application on 28.05.2025 has enclosed the Medical Board's Certificate dated 29.05.2025 issued by the Government Hospital, Chitradurga affirming that the petitioner's father suffers from ischemic



heart disease with 2D echo report that is suggestive LV segmental hypokinesia and that he needs constant monitoring and management on regular follow up. The learned counsel argues that the Tribunal is not justified in opining that the petitioner has failed to make out a case because he has not produced the mandatory certificate. Sri.V.Shivareddy, the learned Additional Government Advocate who is called upon to secure instructions, submits that the counselling process is completed and in the circumstances even if the petitioner could make out a grievance, he must avail remedy under Rule 18 of the Rules as the Government can examine all the circumstances.

The question whether there must be interference otherwise than relegating the petitioner to the remedy under Rules is examined. The petitioner's specific case is that he has produced a medical certificate by the competent board, but the



Tribunal has not considered this Certificate. This Court opines rather than an adjudication on this aspect, the Commissioner of Health and Family Welfare Services [the second respondent] must consider the petitioner's specific case that his father, who is 88 years old, has a cardiac condition and he requires constant follow-up and monitoring and that the petitioner would not insist upon a particular place but a place where there is cardiac facility that would help in securing appropriate monitoring and management of his father's condition. In the light of the afore, the following:

ORDER

The petition is disposed of reserving liberty to the petitioner to file [within a week from the date of receipt of a certified copy of this order] a representation with the second respondent requesting for transfer from General Hospital, Shidlaghatta, Chikkaballapur to a place



where there is cardiac facility. If the petitioner avails this liberty, the second respondent shall consider the same and communicate the decision before **28.02.2026.**

**Sd/-
(B M SHYAM PRASAD)
JUDGE**

**Sd/-
(T.M.NADAF)
JUDGE**

SA
ct:sr