



CNR: KAHC010232812026

NC: 2026:KHC:43421
WP No. 9980 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE ASHOK S.KINAGI

WRIT PETITION NO. 9980 OF 2026 (S-TR)

BETWEEN:

SRI. B.G. RAMESHA
S/O B.K. GANGAMARAIAH,
AGED ABOUT 51 YEARS
PRESENTLY WORKING AS REVENUE OFFICER,
TOWN MUNICIPAL COUNCIL,
KONAPPAN AGRAHARA,
BENGALURU- 560 100,
R/AT NO. 98, 3RD CROSS, ULLALA MAIN ROAD,
BHARATH NAGAR, 2ND STAGE, BEL LAYOUT,
BENGALURU- 560 091

...PETITIONER

(BY SRI. SHIVAPRASAD SHANTANAGOUDAR., ADVOCATE)

AND:

1. STATE OF KARNATAKA
DEPARTMENT OF URBAN DEVELOPMENT
VIKASA SOUDHA,
BENGALURU-560 001,
REP. BY ITS UNDER SECRETARY
2. CHIEF OFFICER
MUNICIPAL COUNCIL,
KONAPPANA AGRAHARA
BENGALURU SOUTH TALUK,
BENGALURU- 560 002

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signed by
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Location:
HIGH COURT
OF
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3. SRI. V. NAGESH
AGED ABOUT MAJOR,
PRESENTLY WORKING AS REVENUE OFFICER,
TOWN MUNICIPAL COUNCIL,
HUNASAMARANAHALI,
BENGALURU- 562 157

...RESPONDENTS

(BY SMT. ASHVINI PATIL, AGA FOR R1
SRI. B S GOUTHAM, ADVOCATE FOR R3
SRI. M S DEVARAJU, ADVOCATE FOR R2)

THIS WRIT PETITION FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE OFFICIAL MEMORANDUM BEARING NO. NA.A.E. 13 T.M.S.2026 (E) DATED 26.03.2026 ISSUED BY THE RESPONDENT NO. 1 AT ANNEXURE-D INSOFAR AS PETITIONER IS CONCERNED.

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

CORAM: HON'BLE MR. JUSTICE ASHOK S.KINAGI

ORAL ORDER

The petitioner filed this writ petition seeking the following reliefs:

- "a) *Issue a writ in the nature of Certiorari or any other writ and thereby quash the Official Memorandum bearing No. Na.A.E. 13 T.M.S. 2026 (E) dated 26.03.2026 issued by the Respondent No. 1 at Annexure-D insofar as Petitioner is concerned;*



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b) Pass such other order as it deems fit to grant in the circumstances of the case, to meet the ends of justice and equity."

2. Brief facts leading rise to the filing of this appeal are as follows:

2.1. The petitioner is working as a Revenue Officer, Town Municipal Council, Konappana Agrahara, Bengaluru. On 31.07.2024, respondent No.1 issued an official memorandum transferring the petitioner from Revenue Officer, Town Municipal Council, Hunasamaranahalli to Konappana Agrahara with immediate effect. The petitioner took charge at the new posting on 19.08.2024. On 04.03.2026, the District Commissioner issued an official memorandum appointing the petitioner as an Officer-in-charge for the Census of India-2027 within the limits of Electronic City Industrial Township Authority (ELCITA), Bengaluru, thereby reposing confidence in the petitioner. On 26.03.2026, respondent No.1 issued the impugned official memorandum transferring the petitioner from his



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present posting, within less than 2 years of his joining. It is contended that, the Government of Karnataka, vide its order dated 12.05.2025, has expressly stipulated that Group-C employees must complete a minimum tenure of 4 years before being transferred. Contrary to this clear directive, the petitioner has been prematurely transferred within less than 2 years of his previous transfer dated 31.07.2024, which is in violation of the Transfer Guidelines. It is also contended that, the Home Secretary, Government of India, vide circular dated 11.03.2026, has expressly directed that census functionaries appointed for Census-2027 shall not be transferred till 31.03.2027. The petitioner, having been appointed as an Officer-in-charge for Census-2027 in the limits of ELCITA, Bengaluru, on 04.03.2026, is squarely protected under the said circular. The impugned transfer order has been passed in violation of the said circular. Hence, this petition.

3. Respondent No.3 filed a statement of objections denying all the allegations made in the memorandum of



writ petition. It is contended that, the writ petition is misconceived and not maintainable either in law or on facts. The petitioner has approached this Court with unclean hands by suppressing material facts. It is also contended that, the impugned official memorandum dated 26.03.2026 is valid, legal and enforceable order issued by the competent authority. The said order has been issued after obtaining the prior approval of the Hon'ble Chief Minister of Karnataka, which is a mandatory prerequisite for any premature transfer as per the Government's own Transfer Guidelines. The contention of the petitioner that the transfer is 'premature' and is in violation of the Government order dated 12.02.2025, is wholly untenable. The impugned order of transfer was approved by the Hon'ble Chief Minister on 11.11.2025. It is contended that, judicial review in the matters of employee transfers is well settled. It is contended that, transfer is an incident of a service and an administrative decision. The scope of judicial interference is limited to the cases where the order



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is vitiated by *mala fides*, is in violation of statutory provisions or passed by an incompetent authority. It is contended that, the impugned order of transfer is from Town Municipal Council, Konappana Agrahara to Town Municipal Council, Hunasamaranahalli, both of which are situated within Bengaluru Urban and constitute the same headquarters. As per Rule 8(49) of the Karnataka Civil Services Rules ('**KCSR**' for short), 'transfer' is defined as the movement of a Government servant from one headquarters station to another. Mere change of office within the same headquarters does not amount to a transfer in the strict legal sense. It is contended, that Government servant holding a transferable post has no vested right to remain posted at one place or the other. He/she is liable to be transferred from one place to another. It is also contended that, respondent No.3 has already handed over the charge of the post of Revenue Officer, Town Municipal Council, Hunasamaranahalli. Accordingly, prays to dismiss the writ petition.



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4. Respondent No.1-State has filed a statement of objections contending that, the petitioner was working as at Town Municipal Council, Konappana Agrahara, Bengaluru. The Deputy Commissioner, Bengaluru Urban District had deputed him to the census work at Electronic City Industrial Township Authority jurisdiction on 04.03.2026. While the petitioner was in census work, respondent No.3 was transferred and posted in place of the petitioner. After census work, the petitioner has to report before respondent No.1 for further postings. The transfer was made with the prior approval of the Hon'ble Chief Minister and in the administrative and public interest. It is contended that, the petitioner cannot claim transfer as a matter of right. The State Government is always at liberty to transfer its servants under the exigencies of service. Accordingly, prays to dismiss the writ petition.

5. Heard the arguments of the learned counsel for the petitioner, learned AGA for respondent No.1, learned



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counsel for respondent No.2 and learned counsel for respondent No.3.

6. Learned counsel for the petitioner submits that, the petitioner was transferred to the post of Revenue Officer, Town Municipal Council, Konappana Agrahara on 31.07.2024. The petitioner took charge on 19.08.2024. The District Commissioner has issued an official memorandum appointing the petitioner as an Officer-in-charge for the census work for the Census of India-2027. He further submits that, the Government of India has issued a circular dated 11.03.2026 directing the census functionaries appointed for Census-2027 shall not be transferred till 31.03.2027. The petitioner is fully covered under the protection of the circular dated 11.03.2026 and the transfer order is in violation of the circular dated 11.03.2026. It is further submitted that, the impugned order of transfer is premature and is in violation of the Transfer Guidelines. Hence, on these grounds, he prays to allow the writ petition.



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7. *Per contra*, learned AGA submits that, the order of transfer is in the administrative and public interest, and the same is approved by the Chief Minister as per the Government order dated 12.05.2025. Though the petitioner has not completed the minimum tenure of 4 years in his posting, however, the transfer order was made with the prior approval of the Hon'ble Chief Minister. She further submits that, the order of transfer of a single servant is not only an incidence of service, but also an implied condition of service. She submits that, the scope of judicial interference in the order of transfer is very limited, provided if the petitioner establishes that the order of transfer is *mala fide* and is in violation of transfer guidelines. She submits that, the order of transfer is in accordance with the Transfer Guidelines and no violation of Rules. Learned AGA has produced a copy of the e-note sheet of the Urban Development Authority pertaining to the transfer of the petitioner, wherein the Chief Minister has approved the transfer of the petitioner which is in



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accordance with the Transfer Guidelines. Hence, on these grounds, she prays to dismiss the writ petition.

8. Learned counsel for respondent No.3 adopts the arguments of the learned AGA for respondent No.1, and prays to dismiss the writ petition.

9. Perused the records and considered the submissions of the learned counsel for the parties.

10. It is an undisputed fact that on 31.07.2024, the petitioner was posted as a Revenue Officer in Town Municipal Council, Konappana Agrahara, Bengaluru and he reported and took charge at the place posting on 19.08.2024. On 04.03.2026, the District Commissioner issued an official memorandum appointing the petitioner as an Officer-in-charge for the work of the Census of India-2027 in the limits of ELCITA, Bengaluru. Respondent No.1 has issued the impugned official memorandum dated 26.03.2026 transferring the petitioner from his present posting within less than 2 years. As per the Transfer



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Guidelines, if any transfer is to be made before completion of the tenure, the prior approval of the Chief Minister is pre-requisite.

11. Admittedly, in the instant case, the order of transfer of the petitioner was duly approved by the Hon'ble Chief Minister vide Letter No.E CM/11222571/2025 dated 11.11.2025. Respondent No.3 has produced a copy of the said letter dated marked as Annexure-R1. The order of transfer is in accordance with the Transfer Guidelines.

12. From the perusal of the records, it clearly discloses that, the impugned order of transfer is approved by the Chief Minister. The petitioner has no vested right to continue in the same place. The petitioner has failed to establish that the impugned order of transfer is with a *mala fide* intention, or has been issued in violation of statutory provisions, or the same is passed by an incompetent authority.



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13. Further, as per Rule 8(49) of the KCSR, transfer is defined as a movement of a Government servant from one headquarters station to another. Mere change of office within the same headquarters does not amount to a transfer. Admittedly, in the instant case, the order of transfer is within the headquarters. Hence, the impugned order of transfer is in accordance with the Transfer Guidelines.

14. In view of the above discussion, I do not find any error in the impugned order. Accordingly, I proceed to pass the following:

ORDER

- i. The writ petition is ***dismissed***;
- ii. Pending IA(s), if any, shall stand disposed of.

**Sd/-
(ASHOK S.KINAGI)
JUDGE**

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List No.: 1 Sl No.: 16