



CNR: KAHC010452142026

NC: 2026:KHC:47081
WP No. 20403 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE ASHOK S.KINAGI

WRIT PETITION NO. 20403 OF 2026 (S-TR)

BETWEEN:

SHRI DHANANJAYA KUMAR D N
S/O SHRI D NINGAPPA,
AGED 44 YEARS, R/AT NO 177/A,
NORTH EXTENSION,
NISARGA LAYOUT, JIGANI,
BENGALURU
PRESENTLY SERVING AS ASSISTANT ENGINEER,
(ELECTRICAL), HEBBAGODI O AND M UNIT,
CHANDAPURA SUB-DIVISION,
ANEKAL TALUK,
BENGALURU URBAN DISTRICT.

...PETITIONER

(BY SRI. CHANDRASHEKAR L., ADVOCATE)

AND:

1. THE DIRECTOR
(ADMINISTRATION AND HR)
KARNATAKA POWER
TRANSMISSION CORPORATION,
OFFICE OF THE KPTCL,
INDANA BHAVANA





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RACE COURSE ROAD,
BENGALURU-560 009.

2. THE GENERAL MANAGER
ADMINISTRATIVE AND HUMAN RESOURCES
BENGALURU ELECTRICITY SUPPLY COMPANY
LIMITED, K.R.CIRCLE,
BENGALURU-560001
3. SRI. CHIDANANDA J M,
AGED ABOUT 26 YEARS,
WORKING AT WORKS UNIT DIVISION,
BESCOM, HSR,
BENGALURU - 560 102.

...RESPONDENTS

(BY SRI. CHANDRACHUD A., ADVOCATE FOR R1 & R2
SRI. N B NIJALINGAPPA, ADVOCATE FOR R3)

THIS WRIT PETITION FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA IS FILED PRAYING TO I. ISSUE A WRIT OF CERTIORARI QUASHING THE ORDER DATED 30/06/2026, VIDE No.KPTCL/KAVIPRANINI/UPRAVYA (SI)/VYA(SI1)/B59/7826/2/2026 ADMIN (C1)/B59/78126/2/2026 PASSED BY THE RESPONDENT NO 1, IN SO FAR AS IT RELATES TO THE PETITIONER AT COLUMN NO 20, PRODUCED AT ANNEXURE A, II. ISSUE SUCH OTHER WRIT OR WRITS OR PASS ANY SUCH ORDER OR ORDERS OR DIRECTIONS AS THIS HON'BLE COURT MAY DEEM FIT IN THE CIRCUMSTANCES OF THE CASE, IN THE INTEREST OF JUSTICE AND EQUITY.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:



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

ORAL ORDER

This writ petition is filed under Articles 226 and 227 of the Constitution of India, praying to quash the order/official memorandum dated 30.06.2026 bearing No.KPTCL/Admin(C1)/B59/78126/2/2026 passed by respondent No.1, insofar as it relates to the petitioner at Column No.20 thereof, produced at Annexure-A, and to pass such other order or orders as this Court may deem fit in the circumstances of the case.

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

The petitioner was appointed as a Junior Engineer under respondent No.1 on 13.12.2007 and was promoted as an Assistant Engineer in the year 2017. The petitioner is a Group-B cadre officer and has served respondent No.1 for about 19 years. It is the case of the petitioner that he



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has an unblemished service record. In the year 2023, the petitioner was transferred to his present place of posting, namely, Assistant Engineer (Electrical), Hebbagodi O&M Unit, Chandapura Sub-Division, Anekal Taluk, Bengaluru Urban District, and has continued to work at the said place thereafter.

3. While serving at the said station, the petitioner was appointed as Supervisor for Census-2027 (House Listing and Housing Census) under Section 4 of the Census Act, 1948, vide order dated 02.04.2026 issued by the Office of the Charge Officer, Hebbagodi. Pursuant thereto, the petitioner underwent the prescribed training and was allotted Supervisory Circle No.006. The petitioner states that he thereafter commenced the Census work entrusted to him. The appointment order also stipulates consequences for failure or refusal to discharge the duties assigned thereunder.



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4. Subsequently, the Government of Karnataka, Revenue Department (Disaster Management), issued a communication dated 20.05.2026 directing that Government servants appointed for Census duties shall not be transferred from their present place of posting until 31.03.2027, with a view to ensuring the smooth and uninterrupted conduct of the Census-2027 operations.

5. Despite the aforesaid communication and the petitioner's Census assignment, respondent No.1 issued the impugned General Transfer Order dated 30.06.2026, transferring the petitioner from his present place of posting to the Works Unit Division, BESCO, HSR, Bengaluru.

6. It is the case of the petitioner that, as on the date of filing of the petition, nearly 2,000 houses had been house-listed and enumerated under his supervision and that the Census assignment entrusted to him was yet to be completed. Aggrieved by the impugned transfer order



dated 30.06.2026, the petitioner has approached this Court by filing the present writ petition on 02.07.2026.

7. Learned counsel for the petitioner submitted that the impugned transfer order is arbitrary and illegal and has been issued in disregard of the Government communication dated 20.05.2026. It was contended that the petitioner is discharging duties pursuant to his appointment as Supervisor for Census-2027 under Section 4 of the Census Act, 1948; that he has undergone the prescribed training and has been allotted Supervisory Circle No.006; and that his transfer at this stage would disrupt the Census work entrusted to him. It was further contended that the impugned order suffers from non-application of mind, is contrary to the Government's policy and is liable to be interfered with under Articles 226 and 227 of the Constitution of India.

8. *Per contra*, learned counsel appearing for respondent Nos.1 and 2 submitted that transfer is an



incident of service and that the petitioner, being an employee holding a transferable post, has no vested right to continue at a particular place of posting. It was further submitted that the impugned order has been issued in the exigencies of administration and that, if the petitioner has any grievance regarding his Census assignment or the applicability of the Government communication dated 20.05.2026 to his case, the same may be placed before the competent authority for consideration.

9. I have considered the submissions made by the learned counsel for the parties and have perused the material on record.

10. It is well settled that transfer of a Government servant is ordinarily an incident of service and that the Court does not ordinarily interfere with an order of transfer unless the order is shown to be vitiated by mala fides, violation of a statutory provision, or other circumstances



warranting judicial interference. The Court, while exercising jurisdiction under Article 226 of the Constitution, does not ordinarily sit as an appellate authority over an administrative decision relating to transfer.

11. In the present case, the petitioner has not pleaded any specific mala fides against respondent No.1, nor has any material been placed before this Court to establish that the impugned transfer order has been issued for any collateral or extraneous purpose.

12. The principal contention of the petitioner is that the impugned transfer is contrary to the Government communication dated 20.05.2026. The said communication is undoubtedly a relevant administrative instruction concerning transfer of Government servants engaged in Census duties. However, no statutory provision has been brought to the notice of this Court which expressly prohibits respondent No.1 from transferring the



petitioner. The executive instructions or administrative guidelines, in the absence of statutory force, do not by themselves confer an enforceable right upon the petitioner to continue at a particular place of posting.

13. The fact that the petitioner has been appointed as a Supervisor for Census-2027 under *Section 4 of the Census Act, 1948*, has undergone the prescribed training and has been allotted Supervisory Circle No.006 is not in dispute for the purposes of the present proceedings. The petitioner has also placed on record that he has already undertaken Census-related work in the area allotted to him. The grievance of the petitioner is that his transfer during the subsistence of such assignment would make it difficult for him to continue discharging the duties entrusted to him. This aspect, in our view, is a relevant circumstance which requires consideration by the competent authority.



14. The petitioner's contention regarding the possible consequences arising from his inability to discharge the Census duties, the training already undergone by him, the allotment of Supervisory Circle No.006 and the work already undertaken by him cannot be said to be wholly irrelevant. At the same time, these circumstances do not, by themselves, confer upon the petitioner an indefeasible right to remain at the present station. The competent authority is required to consider the aforesaid circumstances along with the administrative exigencies which necessitated the impugned transfer.

15. The question whether the petitioner ought to be retained at his present station, having regard to the Government communication dated 20.05.2026 and his ongoing Census assignment, is therefore a matter which, in the first instance, ought to be considered by the competent authority.



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16. This Court, in exercise of its judicial review jurisdiction, would not ordinarily substitute its own view for that of the administrative authority in matters relating to posting and transfer, particularly when no mala fides or violation of a statutory provision has been established.

17. In the circumstances of the case, this Court is of the view that the petitioner should be permitted to place all the relevant facts and circumstances before respondent No.1 by way of a detailed representation. Such representation may specifically refer to the Government communication dated 20.05.2026, the petitioner's appointment as Supervisor for Census-2027, the training undergone by him, the allotment of Supervisory Circle No.006 and the Census work already undertaken by him.

18. If such representation is submitted, respondent No.1 shall consider the same objectively and in accordance with law, keeping in view the Government communication



dated 20.05.2026, the petitioner's Census-2027 assignment and the administrative exigencies of the department. It is made clear that this Court has not expressed any opinion on the merits of the petitioner's claim for retention at the present place of posting.

19. In view of the above, the writ petition is liable to be disposed of with liberty to the petitioner to submit a representation to the competent authority.

20. Accordingly, I proceed to pass the following:

ORDER

- i. The writ petition is ***disposed of***.
- ii. The petitioner is at liberty to submit a detailed representation to respondent No.1 ventilating his grievance with regard to the impugned transfer order dated 30.06.2026, including the Government communication dated 20.05.2026 and his ongoing assignment as Supervisor for Census-2027 under Supervisory Circle No.006.



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- iii. If such representation is submitted within two weeks from the date of receipt of a copy of this order, respondent No.1 shall consider and dispose of the same, in accordance with law, expeditiously and preferably within a period of four weeks thereafter, after taking into consideration the relevant facts and circumstances of the case.
- iv. Till the representation is considered and disposed of, the impugned transfer order dated 30.06.2026 shall not be given effect to insofar as it relates to the petitioner.
- v. It is made clear that this Court has not expressed any opinion on the merits of the petitioner's claim and all contentions are left open.
- vi. No order as to costs.
- vii. Pending application/s, if any, shall stand disposed of.

Sd/-
(ASHOK S.KINAGI)
JUDGE

SSB: Online