



CNR: KAHC010468792026

NC: 2026:KHC:46972
WP No. 20878 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE ASHOK S.KINAGI

WRIT PETITION NO. 20878 OF 2026 (S-TR)

BETWEEN:

KIRAN KUMAR G
AGED ABOUT 38 YEARS,
S/O LATE GANGARANGAIAH,
W/A ASSISTANT ENGINEER (ELEC),
RAMAMURTHY NAGAR, O AND M E-11
SUB-DIVISION, INDIRANAGAR DIVISION,
BESCOM, BANGALORE-560 016

...PETITIONER

(BY SMT. SUVARNA LAKSHMI M.L., ADVOCATE)

AND:

1. KARNATAKA POWER TRANSMISSION CORPORATION LIMITED
REPRESENTED BY ITS MANAGING DIRECTOR,
CAUVERY BHAVAN,
BANGALORE-560 002.
2. THE DIRECTOR (ADMIN AND HR),
KARNATAKA POWER TRANSMISSION CORPORATION LTD,
CAUVERY BHAVAN,
BANGALORE-560 002.
3. BANGALORE ELECTRICITY SUPPLY COMPANY LIMITED,
REPRESENTED BY ITS MANAGING DIRECTOR,
CORPORATE OFFICE,

Digitally signed
by VARSHA N
RASAI KAR
Location: HIGH
COURT OF
KARNATAKA



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BESCOM K.R.CIRCLE,
BANGALORE-560001.

4. KISHORE .K
MAJOR BY AGE
WORKING AS ASSISTANT ENGINEER (ELE.),
220 KV RECEIVING STATION,
BIAL, KPTCL,
BEGUR-560 114

...RESPONDENTS

(BY SRI. CHANDRACHUD A., ADVOCATE FOR R1 TO R3
(VK FILED FOR R1 & R2)
SRI. N B NIJALINGAPPA, ADVOCATE FOR R4)

THIS WRIT PETITION FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO (A) QUASH ORDER BEARING NO. KAVIPRANINI/OOPRAVYA(C)/VYA (C-1)B59/78126/1/2026 DATED 30TH JUNE 2026 (UNDER ANNEXURE-F TO THE WRIT PETITION) INsofar AS THE PETITIONER AT SERIAL NO.18 IS CONCERNED ISSUED BY THE 2TH RESPONDENT BY ISSUE OF A WRIT IN THE NATURE OF CERTIORARI AND GRANT ALL CONSEQUENTIAL BENEFITS. (B) QUASH ORDER BEARING NO. KAVIPRANINI/OOPRAVYA(C)/VYA(C-1)B59/78126/5/2026 DATED 30TH JUNE 2026 (UNDER ANNEXURE-F1 TO THE WRIT PETITION) INsofar AS THE 4TH RESPONDENT AT SERIAL NO.34 IS CONCERNED ISSUED BY THE 2ND RESPONDENT BY ISSUE OF A WRIT IN THE NATURE OF CERTIORARI AND GRANT ALL CONSEQUENTIAL BENEFITS. (C) ISSUE SUCH OTHER APPROPRIATE WRIT, ORDER OR DIRECTION AS THIS HON'BLE COURT DEEMS FIT TO GRANT IN THE INTEREST OF JUSTICE AND EQUITY, INCLUDING THE AWARD OF COSTS OF THIS WRIT PETITION.

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

The petitioner filed this writ petition seeking the following reliefs:

- "(a) *QUASH order bearing no.KaViPraNiNi/OoPraVYa(C)/Vya(C-1)B59/78126/1/2026 dated 30th JUNE 2026 (under ANNEXURE-F to the writ petition) insofar as the petitioner at serial no.18 is concerned issued by the 2th respondent by issue of a writ in the nature of certiorari and grant all consequential benefits.*
- (b) *QUASH order bearing no.KaViPraNiNi/OoPraVYa(C)/Vya(C-1)B59/78126/5/2026 dated 30th JUNE 2026 (under ANNEXURE-F1 to the writ petition) insofar as the 4th respondent at serial no.34 is concerned issued by the 2th respondent by issue of a writ in the nature of certiorari and grant all consequential benefits*
- (c) *ISSUE such other appropriate writ, order or direction as this Hon'ble Court deems fit to grant in the interest of justice and equity, including the award of costs of this writ petition."*

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



2.1. The petitioner was transferred and posted as an Assistant Engineer, E-11 Sub-division, Indiranagar, Bengaluru Electricity Supply Company Limited (**'BESCOM'** for short) on 23.03.2022. Elections were conducted for KEB SC/ST Welfare Association (**'Welfare Association'** for short) which is a state-wide association. The petitioner participated and contested against the post of Indiranagar Division and was elected as a delegate from Indiranagar Division. The petitioner was further chosen by the Welfare Association as a member of the Central Executive Committee against the post of Indiranagar Division on 26.07.2024. On 16.07.2025, in certain proceedings before the Karnataka State Administrative Tribunal (**'KSAT'** for short), a clarification was sought from Department of Personnel and Administrative Reforms (**'DPAR'** for short) on exemption from transfers of office bearers. Accordingly, DPAR has clarified that an office bearer is exempted from transfer for two terms. On 15.12.2025, the KEB Engineers' Association elections were held, and the petitioner was



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duly elected and appointed as the Secretary-2 of the North Bangalore Zonal Centre. It is contended that, as per clause 8(5) of the Transfer Guidelines dated 13.04.2026, employees who are the office bearers are exempted from general and can be continued for two terms in the same place of posting. Respondent No.2, by a separate order, adopted the Transfer Guidelines and all the transfers in respondent No.2 are governed by the said Transfer Guidelines, which have statutory force. The petitioner is transferred and posted as Assistant Engineer (Electrical) , Austin Town, which comes under Bangalore East Zonal where another officer who had contested and is elected, is working. The impugned transfer order is arbitrary and erroneous. Hence, this petition.

3. Heard the arguments of learned counsel for the petitioner, learned counsel for respondent Nos.1 to 3 and learned counsel for respondent No.4.



4. Learned counsel for the petitioner submits that, the impugned order of transfer is premature and is in violation of the Transfer Guidelines. No prior approval of the Chief Minister is sought before passing the impugned transfer order. She further submits that, the petitioner is the elected member of the Welfare Association. As per the Transfer Guidelines, the petitioner cannot be transferred. Hence, on these grounds, she prays to allow the writ petition.

5. *Per contra*, learned counsel for respondent Nos.1 to 3 submits that, the petitioner is serving in Bengaluru for more than ten years i.e., from 01.09.2010 to 24.08.2015, 19.06.2018 to 15.04.2021 and 16.04.2021 to 28.08.2026. The petitioner has completed four years of service in the present place and the respondents-Corporation have rightly transferred the petitioner. Hence, on these grounds, he prays to dismiss the writ petition.



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

7. It is an undisputed fact that the petitioner is working as an Assistant Engineer and the post of Assistant Engineer is a 'Group-B' post. As per the Transfer Guidelines, Group-B employees shall discharge their duty for a period of two years. The petitioner has been working since 2010 as follows:

<i>Sl. No</i>	<i>Office</i>	<i>Place</i>	<i>From Dt.</i>	<i>To Dt.</i>	<i>Ye ar s</i>	<i>M on th s</i>
1	JE W-1 SUB DIV	BENGALURU	01/09/2010	24/08/2015	4	11
2	AE CSD-1	BALLARI	25/08/2015	18/06/2018	2	9
3	AE, N-9 S/D, HESARAGATTA	BENGALURU	19/06/2018	15/04/2021	2	9
4	AE, N-9 S/D, SOLDEVANHALLI	BENGALURU	16/04/2021	24/03/2022	0	11
5	AE, O&M E-11 S/D RAMURTY NAGAR	BENGALURU	25/03/2022	28/08/2026	4	5



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8. It is well settled that transfer of a Government employee from one place of posting to another, or from one post to another, is an incident of service, and that the said power vests in the competent administrative authority to be exercised having regard to the exigencies of administration. This Court, while exercising jurisdiction under Article 226 of the Constitution, does not sit in appeal over an order of transfer, nor substitutes its own opinion for that of the transferring authority, unless the order is shown to be actuated by *mala fides*, is passed by an authority lacking competence, or is in violation of a statutory rule having the force of law. In the present case, no *mala fides* have been pleaded or established against respondent No.1, nor is the competence of respondent No.1 to pass the impugned order under challenge.

9. In so far as the reliance placed on the Transfer Guidelines dated 13.04.2026 is concerned, the said Guidelines are administrative/executive instructions issued by the State Government for the internal guidance of the



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transferring authorities in the matter of ordinary postings and transfers. Such guidelines, howsoever salutary and howsoever binding upon the administrative authorities in the general run of cases, do not have the force of a statutory rule framed under any enactment, and do not confer upon an individual employee an indefeasible or enforceable legal right to continue in a post for the entire prescribed tenure. They are intended to structure and guide the exercise of administrative discretion in the general run of cases, and not to divest the competent authority of its power to transfer an employee in public interest or administrative exigency in an individual case. A transfer effected in seeming deviation from such guidelines does not, without more, render the order illegal, without jurisdiction, or non-est, so long as it is shown to have emanated from the competent authority.

10. Admittedly, the petitioner has completed the term for two years and he has no vested right to continue in the said post. Hence, the petitioner has failed to prove



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that the impugned order passed by respondent No.1-Corporation is arbitrarily *mala fide* and is in violation of the Transfer Guidelines. The petitioner has already completed his tenure for two years and the impugned transfer order is a general transfer. Hence, question of obtaining prior approval from the Chief Minister does not arise.

11. In view of the above discussion, 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**

PA
List No.: 1 Sl No.: 63