



CNR: KAHC010514672026

NC: 2026:KHC:51286
WP No. 23096 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 18TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S SUNIL DUTT YADAV

WRIT PETITION NO. 23096 OF 2026 (S-TR)

BETWEEN:

1. JAYANAIAK S
S/O RAMANAIAK,
AGED ABOUT-54 YEARS,
WORKING AS ASST. GENERAL MANAGER (HR),
YARAMARAS THERMAL POWER STATION (YTPS),
CHIKKASUGUR, RAICHUR TALUK,
RAICHUR DISTRICT - 584 134,

(UNDER TRANSFER TO
VARAHI HYDRO ELECTRICAL
POWER PROJECT, HOSANGADI,
KUNDAPUR TALUK,
UDUPI DISTRICT-576 282)

... PETITIONER

(BY SRI. HATTARAKIHAL PARASHURAM., ADVOCATE)

AND:

1. THE KARNATAKA POWER CORPORATION LTD
NO.82, 'SHAKTI BHAVAN',
RACE COURSE ROAD,
BENGALURU-560 001.
REP. BY DIRECTOR (H.R.).

Digitally
signed by
PRAKASH N
Location:
HIGH COURT
OF
KARNATAKA



NC: 2026:KHC:51286
WP No. 23096 of 2026

CNR: KAHC010514672026

2. THE KARNATAKA POWER CORPORATION LTD.,
NO.82, 'SHAKTI BHAVAN',
RACE COURSE ROAD,
BENGALURU-560 001.
REP. BY MANAGING DIRECTOR,
3. THE EXECUTIVE DIRECTOR,
YARAMAS THERMAL POWER
CORPORATION (YTPS),
CHIKKASUGUR, RAICHUR TALUK,
RAICHUR DISTRICT-584 134.
4. THE CHIEF ENGINEER (O AND M)
SHARAVATHI PROJECT (JOG),
SAGAR TALUK,
SHIVAMOGGA DISTRICT,
(UNDER SUPERVISION OF
VARAHI HYDRO ELECTRICAL POWER PROJECT,
HOSANGADI, KUNDAPUR TALUK,
UDUPI DISTRICT-576 282).

... RESPONDENTS

(BY SMT. SANJANA S. JAIN, ADVOCATE FOR
SRI. AJAY J NANDALIKE., ADVOCATE)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO A) ISSUE A WRIT IN THE NATURE OF CERTIORARI AND QUASH THE IMPUGNED TRANSFER ORDER BEARING NO.A1P1E-E2/1260-CP PASSED BY RESPONDENT NO.1 DATED 15/07/2026 AS PER ANNEXURE-A, AND ETC.

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

CORAM: HON'BLE MR. JUSTICE S SUNIL DUTT YADAV



CNR: KAHC010514672026

ORAL ORDER

The petitioner who is working as Assistant General Manager (HR) at Yaramaras Thermal Power Station (YTPS) was transferred by virtue of the order at Annexure-A as Assistant General Manager (HRD) Hosangadi, has called in question the correctness of the order at Annexure-A.

2. It is the case made out by the petitioner that the transfers are regulated by the HRD Manual, copy of which is produced at Annexure-H and reliance is placed on Regulation 3.02 which refers to length of stay. It is submitted that insofar as the post of Executive Engineer and equivalent and below, the ordinary length of service is 09 years in case of project.

3. It is submitted that the petitioner was posted to YTPS on 25.03.2026 and within a span of four months, he has been transferred once again to Hosangadi. It is submitted that in terms of Regulation 3.2 the same is premature transfer.



CNR: KAHC010514672026

4. Attention is drawn to Regulation 3.11 of the said Manual and it is contended that there must be good and sufficient reasons. It is contended that there are no reasons assigned. It is further contended that malafides is made out inssofar as the place which was occupied by the petitioner was sought to be filled up by another employee who had made a request as is evidenced from the order relating to one Ramappa who had requested and has been posted in place of the petitioner.

5. Learned counsel Ms.Sanjana appearing on behalf of Sri.Ajay Nandalike would submit that regulations must be read in its entirety, that the power of the Managing Director is found at Regulation 3.11 which provides for the Managing Director to exercise power of transfer but are also contained in Regulation 3.12 which is an overriding power.



CNR: KAHC010514672026

6. Further, attention is drawn to the statement of objections stating that there are complaints against the petitioner.

7. Heard both sides.

8. The order at Annexure-A is passed transferring the petitioner from YTPS to Hosangadi. The order is stated to have been approved by the Managing Director.

9. Though the petitioner would point out that the order amounts to premature transfer however, the power is vested with the Managing Director under Regulation 3.12 to exercise power notwithstanding norms contained in the Regulations.

10. Regulation 3.12 reads as follows:

"3.12 - Managing Director's Approval in certain cases:

Transfer on request or on administrative grounds shall be ordered conforming to the norms stipulated above. The MD may however



CNR: KAHC010514672026

order transfer of any employee in the interest of the service of the Corporation notwithstanding the above norms. Where transfers are proposed to be ordered beyond the norms stipulated above by any other Authority empowered to order transfer, such Authority shall obtain specific prior approval of MD duly indicating the reasons in his proposal to the MD for making such transfer."

11. Learned counsel for the petitioner has placed the Office Note before the Court. The Office Note relates to transfer process and the Managing Director has approved the same permitting taking note of the action as part of the guidelines. The Note Sheet reveals that the file was placed before the Managing Director eventually who has affixed his signature.

12. Learned counsel for petitioner would contend that the order at Annexure-A cannot be construed to be an order passed by the Managing Director.



CNR: KAHC010514672026

NC: 2026:KHC:51286
WP No. 23096 of 2026

13. It is to be noticed that the order at Annexure-A is passed on 15.07.2026 and the approval in the note sheet by the Managing Director is on 15.07.2026 itself.

14. If the order at Annexure-A is construed to be one passed by other officials, then in terms of 3.12 such authority shall obtain approval of the Managing Director indicating reasons for proposal. Clause 3.12 confers overriding power and such power is not withstanding the other norms.

15. A perusal of the note sheet would indicate at para 12 and 13 certain reasons which include transfer being effected to ensure that the management projects is required to be run efficiently. Hence, transfer proposal is put up taking note of the requests as well as administrative reasons. That by itself would be a proposal with reasons and has been ratified by the Managing Director by affixing his signature on 15.07.2026.



NC: 2026:KHC:51286
WP No. 23096 of 2026

CNR: KAHC010514672026

16. Accordingly, this court find no reasons to interfere with the order of transfer and the petition is rejected.

17. Insofar as petitioner's request that the period from 15.07.2026 to 09.09.2026 may be treated to be on duty is concerned, taking note that the petitioner was asked by order dated 09.09.2026 to report for duty and had demonstrated his bonafides by reporting to duty, the management may take note of the absence and pass such orders by treating his absence leniently.

Sd/-
(S SUNIL DUTT YADAV)
JUDGE

NP