

**HON'BLE SRI JUSTICE A.RAJASHEKER REDDY**

**WRIT PETITION No.23848 OF 2002**

**ORDER**

This writ petition is filed for a writ of mandamus declaring the action of the respondents 1 and 2 in not considering the request of the petitioner for transfer, as illegal and arbitrary and for a consequential direction to respondents to consider his case for transfer.

Counter affidavit is filed by the 2<sup>nd</sup> respondent stating that petitioner was appointed as attender in R.C.M. St. Johns High School, Parvathipuram vide proceedings dated 10.10.1998 and since then he was working there. Though he made representation for transfer in the month of April, 2002, the same was not considered on the ground that his services are required in the said school. It is stated that at the time of appointment of the petitioner in the 3<sup>rd</sup> respondent school, the said school was under the management of the 2<sup>nd</sup> respondent. But recently, the Visakhapatnam Diocese was bifurcated and a new Diocese was formed called Diocese of Srikakulam and the same is kept under the control of Bishop and Manager of R.C.M. School, Srikakulam. It is also stated that the Manager, R.C.M. Schools, Srikakulam is not a party to the writ petition. Further, it is stated that in view of the bifurcation, since the two schools i.e., the school in which the petitioner is working and the school to which the petitioner is seeking transfer are working under different managements, no relief can be granted to the petitioner and sought for dismissal of the writ petition.

It is to be seen that petitioner has not shown any enforceable legal right for his transfer from one school to another. As such, no mandamus can be issued to consider the representation of the petitioner requesting for transfer.

Accordingly, the writ petition is dismissed. No costs. As a sequel, miscellaneous petitions pending if any, shall stand closed.

---

**A.RAJASHEKER REDDY,J**

Date: 01.10.2015

dv