

THE HON'BLE SRI JUSTICE K.C.BHANU

AND

THE HON'BLE MRS. JUSTICE ANIS

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WRIT PETITION No.19155 OF 2015

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ORDER: (per Hon'ble Sri Justice K.C.Bhanu)

This Writ Petition is filed challenging the order dated 08.06.2015 in O.A.No.2726 of 2015 on the file of the Andhra Pradesh Administrative Tribunal, Hyderabad (for short, "the Tribunal").

2. The petitioner/applicant filed the aforementioned Original Application before the Tribunal to call for the records relating to the impugned transfer order, dated 30.05.2015, in Procs.Roc.No.5705/B1/B2/2015, issued by respondent No.1 and set aside or quash the same to the extent of transferring the applicant to Nellore District, declaring the entire action of respondent No.1 in issuing the said impugned order dated 30.05.2015 as illegal and arbitrary and consequently direct respondent Nos.1 to 4 to retain and continue the applicant at the present place of working i.e. at Veterinary Poly Clinic, Guntur.

3. The Tribunal, upon considering the material on record, dismissed the aforementioned Original Application on the ground that the impugned order shows that the petitioner was transferred to Nellore on his request, that there was no application made by the applicant stating that he did not request for his transfer to Nellore and hence, the impugned order could not be interfered with. Challenging the same, the present Writ Petition is filed.

4. Learned counsel for the petitioner contended that at the instance of the Minister, the petitioner was transferred to Veterinary Poly Clinic,

Guntur and he joined the same on 24.11.2014 and even without completion of six months of service, he was again transferred to Nellore and hence he prays to admit the Writ Petition.

5. It is brought to the notice of this Court by the learned counsel for the petitioner that the petitioner made a request to consider his application for transfer. Appropriate decision has been taken by the transferring authority on the application made by the petitioner. Further, as per the service conditions of the employee, an employee is bound to work wherever he was transferred unless transfer is vitiated by *mala fide* or contrary to the rules of the Government. Ordinarily, the Tribunal or this Court would not interfere with the transfer order. A specific finding has been recorded by the Tribunal that transfer was effected on the request made by the petitioner and the said aspect has not been disputed by the petitioner anywhere in the Original Application. Therefore, the Tribunal, after considering the same, rightly passed the said impugned order and that order needs no interference by this Court. Hence, the Writ Petition is devoid of merits and is liable to be dismissed.

6. Accordingly, the Writ Petition is dismissed. There shall be no order as to costs. As a sequel thereto, Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

K.C.BHANU, J

ANIS, J

Date: 29.06.2015

vhb