

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

AND

THE HON'BLR SRI JUSTICE M.SATYANARAYANA MURTHY

WRIT PETITION NO.11191 OF 2015

ORDER: {Per the Hon'ble Sri Justice Ramesh Ranganathan}

The order under challenge in this Writ Petition is the order of transfer passed by the second respondent dated 21.11.2014 transferring the petitioner from Nellore to Tirupathi. The said order was under challenge before the Tribunal in O.A.No.6701 of 2014. The Tribunal, by its order dated 06.04.2014, refused to interfere with the order of transfer on the ground that the petitioner had no vested right to continue at Nellore as the transfer was made during the general transfers. The petitioner has not chosen to challenge the order of the Tribunal in the present Writ Petition.

As the very same transfer order, which is under challenge in this Writ Petition, was put in issue before the Tribunal, and the Tribunal refused to interfere with the order of transfer, the petitioner cannot now invoke the jurisdiction of this Court questioning the order of transfer without questioning the order passed by the Tribunal. The Writ Petition, as filed, is wholly misconceived.

Sri R.Sreenivasa Rao, learned counsel for the petitioner, seeks liberty to question the order of the Tribunal, in appropriate legal proceedings.

Granting liberty as sought for, the Writ Petition is dismissed. There shall be no order as to costs. Miscellaneous petitions, if any, pending shall stand dismissed.

(RAMESH RANGANATHAN, J)

(M.SATYANARAYANA MURTHY, J)

20th April 2015

RRB