

**THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN
AND
THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY**

W.P. No.41359 of 2014

ORDER: (per Hon'ble Sri Justice Ramesh Ranganathan)

The order under challenge in this Writ Petition is the order of the Andhra Pradesh Administrative Tribunal (for short 'Tribunal') in O.A.No.6710 of 2014 dated 04.12.2014.

The petitioner, a Mandal Revenue Inspector Grade – II, was transferred from Mancherial to Bellampally. He invoked the jurisdiction of the Tribunal questioning the order of transfer. Before the Tribunal, the petitioner herein contended that he was transferred to a far-off place, even before completing two years of service at the present station; he was put to hardship on account of the impugned transfer, as he has old aged parents; and, in his place at Mancherial, the first respondent was posted.

The fourth respondent filed a counter affidavit before the Tribunal contending that the transfer was made only on administrative exigencies; by virtue of the impugned order, the petitioner had been transferred from Mancherial to Bellampally; the distance between Mancherial and Bellampally is only 18 K.Ms; the post to which the petitioner was transferred is an executive post; he could not have any complaint in this regard; and the fourth respondent had already been relieved, and had reported before the Tahsildar, Bellampally.

The Tribunal found no infirmity in the order of transfer, and held that it is not even the case of the petitioner that the order of transfer suffered from lack of jurisdiction or was vitiated by *mala fides*.

Before this Court, Sri D.Pochaiah, Learned Counsel for the petitioner, would rely on the transfer guidelines to contend that no person can be transferred before completion of two years of service; and the impugned order of transfer is in violation of these guidelines.

Even if it be so, such guidelines, as has been held by the Supreme Court in **Union of India v. S.L.Abbas**^[1], are not enforceable. The petitioner has been transferred from Mancherial to Bellampally, hardly a distance of 18 K.Ms. Transfer from one place to another is an incident of service, and save where a transfer order suffers from lack of jurisdiction or is vitiated by *mala fides* no interference is called for.

The Writ Petition as filed is wholly misconceived and is, accordingly, dismissed. Miscellaneous petitions pending, if any, shall also stand dismissed. There shall be no order as to costs.

RAMESH RANGANATHAN, J

M.SATYANARAYANA MURTHY, J

Date:20.01.2015

Usd

[\[1\]](#) AIR 1993 SC 2444