

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.15111 OF 2002

ORDER :

This writ petition is filed challenging the proceedings dated 11.06.2002 issued by the 2nd respondent, transferring the petitioner from Kothagudem to Ramagundam, on the ground of administrative reasons.

The case of the petitioner is that the impugned proceedings were issued by the 2nd respondent, at the instance of one Jakya Begum to whom the petitioner advanced the loan, without issuing notice to the petitioner, as a matter of punishment. It is also the case of the petitioner that due to sudden transfer he has to face many difficulties having minor children and old aged parents who are dependents on him and that his wife is suffering from ill health. As such the impugned proceedings are malafied and the same is liable to be set aside.

Now counter affidavit is filed by the respondents stating that the transfer is only basing on the administrative grounds and the same is not punitive or based on any allegations; and that the same is only a simplicitor transfer for administrative reasons.

Heard learned counsel for the petitioner and Sri J.Sreenivasa Rao, learned Standing Counsel for respondents.

In the instant case, no rule or regulation is brought to my notice that the transfer is in violation of the same and the ground raised in the writ petition that the transfer is punitive is also denied by the respondents.

Transfer is incidental to service and once it is not punitive in nature this Court cannot interdict the same by exercising its power of judicial review under Article 226 of the Constitution of India. Since the transfer is incidence to service it is for the employer to see how the administration has to be done by employing/transferring its personnel at the places where it desires.

In view of the above, I do not see any error in the impugned proceedings dated 11.06.2002, issued by the 2nd respondent. Accordingly, the writ petition is dismissed. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition shall stand closed.

A.RAJASHEKER REDDY, J

18.09.2015
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