

The Hon'ble Sri Justice C.V.Nagarjuna Reddy
and

The Hon'ble Sri Justice M.S.K.Jaiswal

Writ Petition No.10428 of 2016

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Date: 01.04.2016

Between:

P.Varuna Reddy

.. Petitioner

and

The State of A.P.
Rep. by its Prl.Secretary
Hyderabad and 7 others

.. Respondents

Counsel for the petitioner :

Mr.R.V.Mallikarjuna Rao

Counsel for respondent Nos.1, 5 & 6: GP for Services – I (AP)

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Counsel for respondent Nos.2, 4 & 7: GP for Services – I (TG)

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Counsel for respondent No.3: Mr.B.Narayana Reddy,
Asst. Solicitor General

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The Court made the following:

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Order : (Per Hon'ble Sri Justice C.V.Nagarjuna Reddy)

The petitioner is working in a substantive post as Deputy Superintendent (Jails) and was posted as Vice Principal of the State Institute of Correctional Administration, Hyderabad. He was allocated to the State of Andhra Pradesh under the Andhra Pradesh Reorganization Act, 2014. Questioning his allocation, he has filed a review petition in the Ministry of Personnel, Public Grievances and Pensions, Department of Personnel and Training, Government of India, through proper channel on 26-02-2016 and the same is pending. The petitioner has also filed mutual transfer application along with another officer, who was allocated to the State of Telangana, and the same is stated to be pending. As the petitioner was sought to be relieved from the State of Telangana, he has filed the above mentioned OA, which was dismissed by the Tribunal and in our view rightly. The petitioner has not raised any substantive ground to assail his allocation to the State of Andhra Pradesh except stating that his review petition and an application for mutual transfer filed along with another person are pending.

As rightly observed by the Tribunal, mere

pendency of review petition or application for mutual transfer will not constitute a reasonable ground for the petitioner to avoid joining in the State of Andhra Pradesh in pursuance of the allocation order. Therefore, we do not find any merit in the Writ Petition and the same is, accordingly, dismissed, however, with the observation that the petitioner's allocation to the State of Andhra Pradesh shall be subject to the outcome of his review petition and the application for mutual transfer stated to be pending before respondent No.3.

As a sequel to dismissal of the Writ Petition, WPMP.No.13133 of 2016, filed by the petitioner for interim relief, is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

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(M.S.K.Jaiswal, J)

Dt: 1st April, 2016
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