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ORDER:- (per Hon'ble Sri Justice G. Chandraiah)

The petitioner asserts that he has been working as Reserve Police Constable at R.P.S., Warangal for the last seven years. While so, it is stated that the

3rd respondent issued order dated 16.12.2015 transferring him to R.P.S., Vikarabad immediately. Challenging the transfer order, the petitioner filed O.A.No. 7124 of 2015 and also as an interim measure, sought suspension of the order of the

3rd respondent. Now, the petitioner's grievance is that the Tribunal, by order dated 23.12.2015, while admitting the O.A., rejected the interim relief. Hence, the present writ petition is filed seeking to quash the order of the Tribunal and a consequential direction to the respondents to continue the petitioner at Railway Police Station, Warangal.

The learned counsel for the petitioner has submitted that the Tribunal, without assigning any specific reasons, has erroneously passed the impugned order transferring the petitioner to R.P.S., Vikarabad. He has further submitted that this is the end of the academic year and if

the petitioner is transferred to R.P.S., Vikarabad, the education of his children would suffer.

The 3rd respondent has filed counter affidavit *inter alia* denying the averments of the writ affidavit and submitted that the children of the petitioner are majors and pursuing higher education and the plea of the petitioner for his retention at R.P.S. Warangal cannot be sustained and the transfer is made purely on administrative grounds.

We have heard the learned counsel for both the parties and carefully perused the material placed on record.

The law is well settled that transfer is not only an incident but a condition of service, necessary in public interest and for efficiency in the public administration and an order transferring an employee from one place to another cannot be interfered with unless the same is said to be fraught with *mala fides* or contrary to the transfer policy or is said to have been made in violation of mandatory statutory rules.

The purport of impugned order is that though no specific reasons are assigned, transfer of the petitioner has been effected on the administrative grounds / exigencies that the petitioner has already completed seven years of service at Warangal and he is long-standing, and further, the Tribunal, while dealing with the cases of similarly situated employees working in R.P.S. at various stations, observed that there are no *mala fides* on

the part of the respondents— Government and rejected the interim relief sought for by the applicants.

Inasmuch as the petitioner has failed to prove that the impugned order is bad in law, the plea taken by the learned counsel for the petitioner that the transfer of the petitioner in the middle of the academic year would affect his children's education cannot be considered. In that view of the matter, we do not see any ground to interfere with the order under challenge.

Hence, there is no merit in the writ petition and the same is accordingly dismissed. No order as to costs.

As a sequel to the dismissal of the writ petition, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

G. CHANDRAIAH, J

04.01.2016

U.DURGA PRASAD

RAO,J

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