

THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

AND

THE HON'BLE SRI JUSTICE G. SHYAM PRASAD

WRIT PETITION No. 35730 of 2016

ORDER: (*Per VRS,J*)

The petitioners, who were working as Staff Nurses in the Area Hospital, Kuppam in Chittoor District, filed O.A.Nos.2962 and 2964 of 2016 on the file of the Andhra Pradesh Administrative Tribunal, questioning the movement orders directing them to report for duty at Kadapa. The Tribunal, which originally granted an interim stay, later vacated the same, and dismissed the main applications. Therefore, the petitioners are before us.

2. We have heard Mr. Bussa Rajendra, learned counsel for the petitioners. The Government Pleader for Medical & Health takes notice for the official respondents, and Mr. G. Bala Rangaiah, learned counsel, takes notice for the respondents 3 and 4.

3. At the outset, it should be pointed out that the petitioners herein filed two independent original applications before the Andhra Pradesh Administrative Tribunal. Merely because the Tribunal dismissed the applications by a common order and merely because the petitioners have paid Court fee in respect of each one of them, a single writ

petition is not normally maintainable. The reason is that each one has a separate cause of action. But, we need not even go into the said question in this writ petition, as even on merits, the petitioners do not have a good case.

4. The Tribunal has pointed out that the petitioners have continued in the same station for 16 years and 11 years respectively. They were already overdue for transfer.

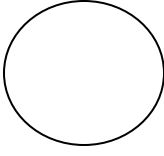
5. It is well settled that an order of transfer can be interfered with only under two contingencies, namely, (a) *mala fide* exercise of power, and (b) violation of Statutory Rules. Both are absent in the cases on hand. Therefore, the Tribunal was right in dismissing the original applications. We find no merits in the writ petition. Therefore, it is dismissed.

Consequently, miscellaneous petitions if any pending in the writ petition shall stand dismissed. No order as to costs.

V. RAMASUBRAMANIAN, J

G. SHYAM PRASAD, J

25th October, 2016
cbs



THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN ✓
AND
THE HON'BLE SRI JUSTICE G. SHYAM PRASAD



Writ Petition No. 35730 of 2016
(Per VRS,J)

25th October, 2016

cbs