

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 24707 of 2016

Order:

The petitioner states that he was appointed as Development Officer, Grade-I (Class-II) in the year 1985 and posted at Nandigama and worked there till 1990. He worked in various places in and around Vijayawada since then. When an order of transfer was passed on 20.05.2016, transferring him from Kothapet Branch office to Branch Office Anaparthy as Development Officer, the petitioner submitted a representation showing health grounds and when the same was not considered he approached this Court in W.P. No.17762 of 2016. The said Writ Petition was disposed of giving liberty to the petitioner to challenge the order of rejection passed on 07.06.2016 pursuant to his representation dated 23.05.2016 and the present Writ Petition is filed when an order was passed on 20.06.2016, which reads as follows.

“Here we wish to inform you that you were posted in Vijayawada since 1990 and have never represented to the Management regarding your ill-health. Further you were posted in BC Kothapeta as I/C since 2013 and your performance was not up to mark with either negligible growth or negative growth in premium. Particularly in the year 2015-16, you have completed a premium of 15.7 lacs and your performance was south bound resulting in a negative growth of around 20% and in addition the Management expenses for the unit was 99.49%. Hence, your performance can be said to be very dismal and not at par with the performances of other offices in Vijayawada. The dismal performance of yours compelled the Management to transfer your services out of BC Kothapeta which was an administrative decision only. Furthermore, we felt that the issues raised by you in your above representation on your ill-health were nothing but after thought to avoid the transfer and therefore not acceptable to us. So, we wish to convey that your request for stopping transfer of your services to BO Anaparthy out of BC Kothapeta could not be considered after considering the grounds stated by you and our decision on the transfer stands.

Further, since your present transfer to BO Anaparthy is on the administrative side, which requires discharge of your official duties, of less strenuous nature

than in Marketing side as in BC Kothapeta, from office only, the nature of ill-health, if any, as stated by you, shall not be aggravated by this transfer.”

2. This Court carefully perused the reasons given in the impugned order of transfer and, since the transferred place is at a distance of 180 KMs on the same railway line, this Court feels that the order of transfer and the rejection of the request of the petitioner shall not be interfered with by this Court in exercise of its extraordinary jurisdiction.

3. The Writ Petition is, accordingly, dismissed. There shall be no order as to costs.

4. As a sequel thereto, the miscellaneous applications, if any, pending in this Writ Petition shall stand closed.

A.
Date: 26.07.2016
Nsr

RAMALINGESWARA RAO, J