

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

WRIT PETITION No.31181 OF 2016

ORDER: (Per Hon'ble Sri Justice V.Ramasubramanian)

The petitioner went before the Andhra Pradesh Administrative Tribunal seeking a direction to consider his application for transfer to a place where his wife is employed as a Teacher. The application was dismissed by the Tribunal on the ground that such request can be considered only during general transfers. Therefore, the petitioner is before us.

2. Heard Mr.D.L.Pandu, learned counsel for the petitioner. Learned Government Pleader for Prohibition and Excise takes notice for respondents.

3. It is not always necessary that the request transfers can be considered only during general transfer periods. In case the logic of the Tribunal is accepted, any vacancy created during the middle academic year, will have to wait till general transfer period. That is not the purport of the law relating to transfer.

4. After all, what is sought for is an innocuous prayer seeking a direction to the respondents to consider the application of the petitioner for transfer to a place where the spouse is employed. No prejudice would be caused, if a direction had been granted.

5. Therefore, the writ petition is allowed, the order of the Tribunal is modified and a direction is issued directing the second

respondent Commissioner to consider the application of the petitioner and pass appropriate orders in accordance with law within a period of eight (8) weeks from the date of receipt of a copy of this order. In case, there is any necessity to get the consent of the Government for disposal of such representation, the same may also be taken. No costs. Miscellaneous petitions pending, if any, shall stand closed.

V. RAMASUBRAMANIAN, J

Date: 25.10.2016.
TJMR

G. SHYAM PRASAD, J

