

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.24117 of 2015

ORDER:

1. The petitioner was appointed as Senior Manager in the 2nd respondent organization in the month of June, 2006. He was promoted as Chief Manager (Designs) and is presently working at Strategic, Electronic, Research and Design Centre (SLRDC) of Hindustan Aeronautics Limited, Hyderabad. When he was transferred from Hyderabad to Bangalore complex by proceedings dated 27.06.2015, he submitted a representation on 06.07.2015 to the 3rd respondent for retaining him in Hyderabad for the grounds stated therein. In those circumstances, he filed the present writ petition challenging the order of transfer.

2. A counter-affidavit is filed by the respondents stating that the job of the officers is annually rotating to various units of the company and in the same order, the job of 23 Chief Managers were being rotated and as a whole 106 officers were rotated across the company. The petitioner was relieved on 29.06.2015, but he did not sign the relieving order. Since the petitioner was relieved of his duties on 29.06.2015, the representation of the petitioner was not considered by the SLRDC, Hyderabad. It was further stated that unless the Government of India's circular guidelines are adopted, the same cannot be implemented. As per the service rules applicable to the Officers of the company, the petitioner is supposed to serve at the place of posting and he cannot raise any grievance.

3. Though the learned Counsel for the petitioner submitted that the petitioner is being transferred to a unit where there is no work in his specialization and the transfer order was effected without considering his representation, this Court is not inclined to examine the said contention, as this is an order of transfer and the representation of the petitioner is pending with the respondents. The petitioner states that he would submit a fresh representation and the respondents be directed to consider the same and pass orders on the said representation.

4. In view of the same, this Writ Petition is disposed of giving liberty to the petitioner to submit a representation to the respondents 2 and 3 within one week from the date of receipt of a copy of this order and they shall consider the same in accordance with the rules and guidelines applicable to the Officers whose spouses are working in other organizations and pass appropriate orders thereon within a period of four weeks thereafter.

5. The Writ Petition is accordingly disposed of. No order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

A.RAMALINGESWARA RAO, J

11-08-2016

Gsn