

**IN THE HIGH COURT OF JUDICATURE, AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA
PRADESH**

HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION NO. 27414 OF 2015

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Between:

Y. Padmajarani W/o J. Kondalarao aged about 47 years

....Petitioner

A n d

State of Andhra Pradesh represented by its Principal Secretary,
Industries & Commerce Department and two others

....Respondents

DATE OF ORDER: 19.01.2016

HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION NO. 27414 OF 2016

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ORDER:

Petitioner is a Clerk cum typist in Cane Development Council, Vuyyuru. By the orders impugned in this Writ Petition, the petitioner is transferred from Vuyyuru to Hanumanjunction, Krishna District. Several contentions are urged with reference to the functioning of Cane Development Council. Claims and counter claims are made in the affidavit, counter affidavit and reply affidavit respectively. Shorn of details the issue for consideration is whether the transfer of the petitioner under the order impugned is valid in law?

2. As seen from the order, the petitioner has been working as Clerk cum typist in Cane Development Council, Vuyyuru for the last 22 years. However, the post held by the petitioner is a transferable post. An employee can be transferred and posted to any place within the control of employer. The fact that the post is transferable and the fact that the petitioner has been working for the last twenty-two years in Vuyyuru is not denied. Even if some other employees are accommodated and assuming that some retentions were granted on the requests made by individual employees and that ordinarily transfers are not affected, the same cannot come to the aid of petitioner as he continued in the same station for 22 years.

3. Transfer is an incidence of service and whenever an employee is transferred he has to honor the transfer and join in the place of posting and work wherever he is posted. If an individual employee has any grievance on such transfer on some personal difficulties or for any other reason, he can seek retention or transfer to some other place other than the place of posting given to him by way of

representation to the competent authority. Such a request may be considered by the competent authority within the parameters of transfer policy.

4. I do not see any illegality or irregularity in transferring the petitioner from Vuyyuru to Hanumanjunction. Even if some other employees are accommodated and assuming that some retentions were granted on the requests made by individual employees and that ordinarily transfers are not affected, the same can not come to the aid of petitioner as he continued in the same station for 22 years. As the petitioner has been working in Vuyyuru for more than 22 years, I do not see any justification to entertain the Writ Petition and grant the relief as sought for by the petitioner.

5. Accordingly, the Writ Petition is dismissed. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, pending if any, shall stand closed.

P. NAVEEN RAO, J

Date: 19.01.2016
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