

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

AND

THE HON'BLE SRI JUSTICE G.SHYAM PRASAD

WRIT APPEAL No.737 of 2016

22.08.2016

Between:

Md.Mutaher Mohiuddin

..Appellant

And

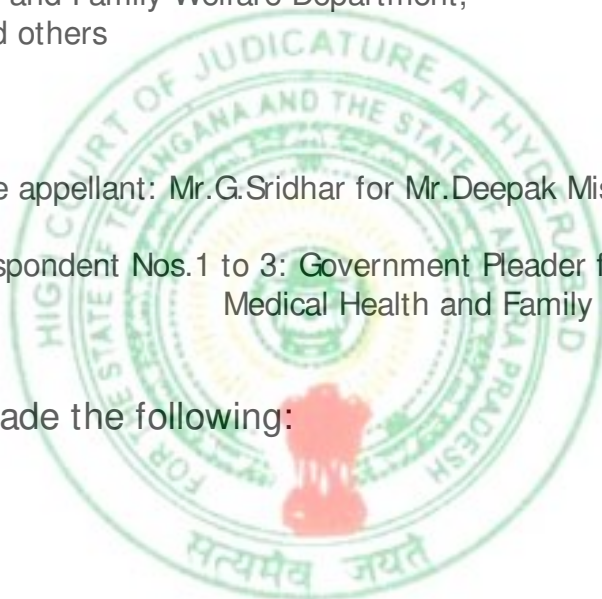
The State of Telangana,
represented by its Principal Secretary,
Medical Health and Family Welfare Department,
Hyderabad and others

..Respondents

Counsel for the appellant: Mr.G.Sridhar for Mr.Deepak Misra

Counsel for respondent Nos.1 to 3: Government Pleader for
Medical Health and Family Welfare (TS)

The Court made the following:



JUDGMENT: (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

This writ appeal arises out of the order, dated 12.07.2016, in W.P.No.18027 of 2016.

2. The appellant was appointed as a Pharmacist Grade II and working as such at the Primary Health Centre, Bollepally, Nalgonda District, under respondent No.2 Corporation. While so, he was deputed to work at the Central Medicine Stores in the Head Office, Hyderabad, *vide* orders, dated 04.12.2013. The posting orders were issued on 01.01.2014, in pursuance of which, he joined at the place of deputation. By order, dated 03.11.2015, respondent No.2 Corporation repatriated the appellant to his parent department pending the enquiry against him and on administrative grounds. This order was challenged by the appellant in W.P.No.18027 of 2016 on the ground that when he was sent on deputation, he was given to understand orally that the deputation will be for a period of five years and that on the basis of such representation, he shifted his residence from Nalgonda to Hyderabad and admitted his children in the educational institutions at Hyderabad. On considering the pleadings of the appellant and the facts of the case, the learned Single Judge dismissed the writ petition.

3. On examining the reasons given by the learned Single Judge, we do not find any error in the order passed by him. A perusal of the order of deputation, dated 04.12.2013, shows that no specific tenure was fixed for continuing the appellant in the deputation post. The contents of the order, dated 03.11.2015, would clearly show that an enquiry is pending against him and on administrative grounds, his deputation was cancelled. Except pleading the alleged oral assurance of the minimum tenure of five

years in the deputation post, which remained unsubstantiated, the appellant has failed to plead any legally sustainable ground to invalidate the order cancelling his deputation and his surrender to his parent department.

4. For the aforementioned reasons, we do not find any merit in this Writ Appeal and the same is, accordingly, dismissed.

5. As a sequel to dismissal of the writ appeal, W.A.M.P.No.1846 of 2016 filed by the appellant for interim relief shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J

G.SHYAM PRASAD, J

22nd August, 2016
GHN

