

**THE HON'BLE SRI JUSTICE P.NAVEEN RAO**

**WRIT PETITION No.12561 OF 2017**

**DATED : 25.04.2017**

Between :

J.B.Sankara Rao S/o.Veeraraju,  
Aged about 48 yrs, working as Superintendent,  
O/o.Executive Officer,  
Sri Venkateswara Swamy Vari Temple,  
Vadapalli, E.G.District, R/o.Vadapalli.

Petitioner

And

Regional Joint Commissioner,  
Endowments Department, Multi Zone-I,  
Rajamahendravaram, East Godavari District & others.

Respondents



This court made the following :

**THE HON'BLE SRI JUSTICE P.NAVEEN RAO**

**WRIT PETITION No.12561 of 2017**

**ORDER :**

Heard.

2. By the order impugned petitioner was transferred from Sri Bheemeswara Swamy Vari Devasthanam, Draksharamam, East Godavari District to Sri Venkateswara Swamy Vari Temple, Vadapalli, East Godavari District. The order of transfer was issued by the Regional Joint Commissioner, Endowments Department, Rajamahendravaram on 28.01.2017.

3. The impugned order is challenged on the ground that by the date on which such transfer was effected, the Regional Joint Commissioner is not competent to effect transfers. Government granted delegation of power to transfer only on 23.03.2017.

4. Learned counsel for the petitioner therefore, contends that on the date when transfer orders were issued, it was illegal and hence, Regional Joint Commissioner was not competent to transfer the petitioner.

5. When the matter is taken up, learned Standing counsel produced orders of Regional Joint Commissioner dated 17.04.2017 whereunder he withdrew his earlier order passed on 28.01.2017.

6. Since the order passed earlier is already withdrawn, the cause in the writ petition does not survive. However, since the order is now withdrawn, the position obtaining as on 28.01.2017 would revert back and petitioner has to be put back to the place where he was earlier working i.e., in the 3<sup>rd</sup> respondent-Devasthanam and should be granted all consequential benefits.

However, it is needless to observe that it is always open to the competent authority to take appropriate action, as warranted by law.

7. With the above directions, the writ petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

25<sup>th</sup> April, 2017  
Rds

**P.NAVEEN RAO,J**

