

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.2265 OF 2017

Dated:25.01.2017

Between:

Ch. S.G. Sudhakara Rao,
S/o. Ch. Rama Rao, aged about 66 years,
Occ: Block Technology Manager (BTM),
Purchur, Prakasam District,
Temporarily residing at H.No.WB-3-352,
Vijaya Lakshmipuram, Bapatla,
Guntur District

.. Petitioner

And

The State of Andhra Pradesh, rep., by its
Principal Secretary, Agriculture
Department, Secretariat, Velagapudi,
Guntur District and others

.. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO**WRIT PETITION No.2265 OF 2017****ORDER:**

The petitioner retired from service as Deputy Director of Agriculture, on attaining the age superannuation. After his retirement, he was located at FIAC and appointed as Block Technology Manager on 17.11.2011 to monitor the projects pertaining to the Agriculture Technology Management Agency (ATMA). By order, dated 06.01.2017, he is now transferred to FIAC Y.Palem in the existing vacancy. The transfer order states that it is on administrative grounds. The said order is under challenge in this writ petition.

2. It is not in dispute that the order of transfer was passed by the competent authority. Though appointment is contractual, the ATMA Organization Offices are located in the entire District and the petitioner is liable for transfer to any office within the District. It is also not in dispute that the petitioner has completed more than four years of service in Parchur. Therefore, *per se*, there is no illegality in the order of transfer and it is made on administrative grounds in exercise of powers by the competent authority.

3. Learned counsel for the petitioner however contends that because of the promotion granted to the 6th respondent and to accommodate her in Parchur, the petitioner has been disturbed. He also sought to contend that a local M.L.A, is behind in granting such promotion to the 6th respondent and posting her in Parchur.

4. It is seen from the averments made in the affidavit filed in support of the Writ Petition and prayer that order granting promotion to the 6th respondent is not under challenge. There is no reference to any correspondence between the M.L.A. and the competent authority in the proceedings impugned in the Writ Petition. When specifically asked, learned counsel for the petitioner does not dispute the fact that the petitioner is not challenging the promotion of the 6th respondent.

5. Since the promotion is granted to the 6th respondent, it is for the competent authority to post the 6th respondent at appropriate place as per the administrative convenience of the organisation. As noticed above, since the petitioner has already completed more than four years of service in the present place of posting, I do not see any illegality in the order impugned in the Writ Petition and the same is liable to be dismissed.

6. The Writ Petition is accordingly dismissed. There shall be no order as to costs.

Miscellaneous petitions, if any, filed in this Writ Petition shall stand closed.

P. NAVEEN RAO, J

Date:25.01.2017

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