

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY
AND
THE HON'BLE SRI JUSTICE GUDISEVA SHYAM PRASAD

Writ Petition No.27255 of 2017

DATED:16-08-2017

Between:

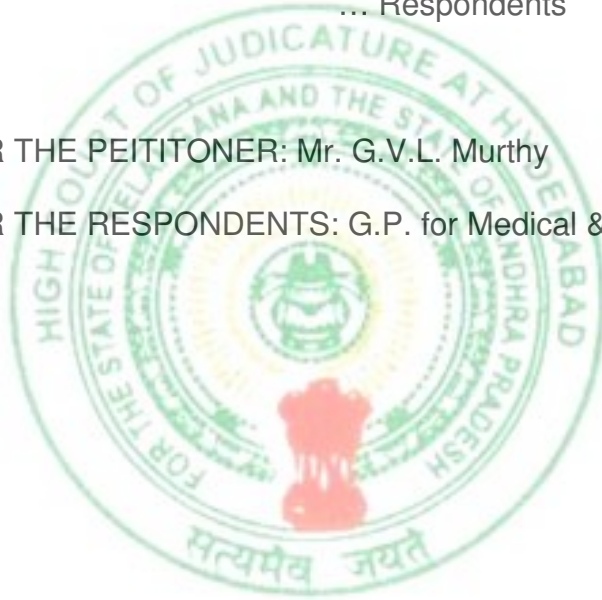
N. John Jayakar ... Petitioner

And

State of Andhra Pradesh
Rep. by its Principal Secretary
Health, Medical & Family Welfare Department
Secretariat Buildings, at Velagapudi
Amaravathi
Guntur District
and others ... Respondents

COUNSEL FOR THE PETITIONER: Mr. G.V.L. Murthy

COUNSEL FOR THE RESPONDENTS: G.P. for Medical & Health (AP)



THE COURT MADE THE FOLLOWING:

ORDER: (per the Hon'ble Sri Justice C.V. Nagarjuna Reddy)

The petitioner was appointed on compassionate ground as Field Worker/Attender on 30.09.1995 and posted at District Malaria Office, Guntur, in the unit of the District Medical and Health Officer, and subsequently his services were placed under the Regional Director, Medical and Health Services, Guntur. The Regional Director has passed order dt.9.6.2016 surrendering his services to the unit of the District Medical and Health Officer, Guntur, who by order dt.01.07.2016 posted him at Primary Health Centre, Uppalapadu, as Office Subordinate, pending disciplinary action against him. The order of the Regional Director as well as that of the District Medical and Health Officer, Guntur, have been assailed by the petitioner in O.A. No.1427 of 2017 before the Andhra Pradesh Administrative Tribunal (for short, "the Tribunal").

The petitioner pleaded before the Tribunal that in view of the ban on transfer of employees, his shifting from Guntur to Uppalapadu is illegal. The Tribunal has taken note of serious allegations of indiscipline and misconduct on the part of the petitioner and declined to interfere with the impugned orders by observing that the ban on transfer does not apply to the case of the petitioner, who was surrendered to his parent unit, and that the head of the said unit in turn has posted him at Uppalapadu. On a careful consideration of the facts of the case, we have no reason to interfere with the well-considered order of the Tribunal.

Hence, the writ petition is dismissed.

As a sequel to dismissal of the writ petition, W.P.M.P. No.33848 of 2017 shall stand disposed of as infructuous.

C.V. NAGARJUNA REDDY, J

GUDISEVA SHYAM PRASAD, J

16-8-2017

bnr

