

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.NO.11699 OF 2018

ORDER

Vide impugned proceedings of the 2nd respondent – District Collector – cum – Executive Director, in Rc.No.A2/218/2017 dated 25.03.2018, petitioner who has been working as In-charge Executive Engineer (H) Madanapalle, in the office of A.P. State Housing Corporation Limited, Madanapalle, Chittoor District, is transferred on deputation basis to Madanapalle Urban and 5th respondent is posted in the place of petitioner. Aggrieved by the said proceedings dated 25.03.2018, present writ petition is filed.

Learned counsel for the petitioner submits that petitioner is a cardiac patient and suffering from severe back pain and taking treatment. He stated that on the representation of the 5th respondent that his health is not permitting him to attend field work as Assistant Engineer at Somala Mandal, petitioner is transferred to the place of 5th respondent and vice versa. Learned counsel contended that to substantiate the claim of 5th respondent that he is suffering from ill health, he has not produced any medical evidence. In spite of the same, respondents, without considering the health condition of the petitioner, transferred him. As the petitioner is suffering from ill health, he will not be able to attend to field work. Therefore, the learned counsel sought to declare the impugned proceedings as illegal and arbitrary.

Sri P.Rama Krishna, learned Standing Counsel appearing for the official respondents submits that petitioner is transferred within the same office, entrusted with different duties on administrative grounds and hence, petitioner cannot have any grievance and, therefore, sought to dismiss the writ petition.

Normally this court will not interfere with the orders of transfer, unless they are issued by an authority having no jurisdiction or with *mala fides*. No such grounds are made out in the writ petition. In the present case, impugned

proceedings are issued making internal transfers, may be entrusting with different nature of duties. In these circumstances, this court is not inclined to exercise its extraordinary jurisdiction under Article 226 of the Constitution of India and interdict the impugned orders of transfer.

I find no merit in the writ petition and the same is accordingly dismissed.

Miscellaneous petitions pending, if any, shall stand closed. No costs.

A.RAJASHEKER REDDY,J

DATE:12—04—2018

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