

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.20804 OF 2018

Date: 21.06.2018

Between:

M.Nageswar Goud s/o. late Sri M.Balasivudu Goud,
Aged about 57 years, occu: Transport Constable,
R/o. 554, Tukuguda, Maheswaram Mandal,
Ranga Reddy district.

.....Petitioner

and

The District Transport Officer, Ranga Reddy
District and two others.

.....Respondents



The Court made the following:

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ORDER:

Heard learned counsel for petitioner and learned Government Pleader for Transport (TG) for respondents.

2. Petitioner is working as Transport Constable in the Office of District Transport Officer, Ranga Reddy District. By order impugned, he is now transferred from this place to the Office of District Transport Officer, Vikarabad. Said order of transfer is under challenge in this writ petition.

3. The order of transfer is challenged on the ground that unit of appointment of Transport Constable is the Revenue District. Petitioner belongs to Ranga Reddy district, but is now transferred to Vikarabad district. Learned counsel for petitioner also contends that petitioner met with accident in the year 2006 and since then he has been taking treatment for post accident ailments and, therefore, his retention is necessary in Ranga Reddy district, where he is working.

4. Admittedly, petitioner has been working in Ranga Reddy District for a long time and is due for transfer. His transfer is in accordance with the transfer guidelines formulated by the Government in pursuant to lifting of ban on transfers. Court cannot interfere in transfer matters unless *mala fids* are alleged and/or there is statutory violation. If petitioner has any personal problem including health issues, it is open to him to make a representation before the competent authority to consider request for retention or suitable posting. Further even though new districts

are formed in April, 2016, the service conditions of employees working in erstwhile districts are not organized so far into the new districts and for all practical purposes, the erstwhile districts are treated as units of appointment and thus, Ranga Reddy is the unit of appointment and not the districts carved out of Ranga Reddy district. Admittedly, petitioner was transferred within old Ranga Reddy district and, therefore, his service condition is not affected. I see no merit in the writ petition and it is accordingly dismissed. It is open to petitioner to make a representation bringing the health problems to the notice of the Deputy Commissioner of Transport. As and when such representation is made, the Deputy Commissioner shall consider the same and pass appropriate orders. It is needless to observe that if representation is made, the same shall be objectively considered within a period of four weeks from the date of receipt of copy of this order.

Pending miscellaneous petitions shall stand closed. There shall be no order as to costs.

JUSTICE P.NAVEEN RAO

Date: 21.06.2018

Note : Issue CC in four days.

(b/o.)

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