

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.21498 OF 2018

Dated:26.06.2018

Between:

Smt. G. Maha Lakshmi, W/o. P. Balanarsaiah,
Aged about 56 years, Occ: Office Superintendent,
R/o.H.No.1-22/3/14, Kakatiya Nagar Colony,
Chengicherla, Ghatkesar Mandal, Medchal
Malkajgiri District

.. Petitioner

And

The Director of Public Health and Family
Welfare, Government of Telangana,
Hyderabad and others

.. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO**WRIT PETITION No.21498 OF 2018****ORDER:**

Heard.

2. Petitioner was working as Senior Assistant from 16.06.2008 in Gandhi Medical Hospital, Hyderabad. Subsequently, she was promoted as Office Superintendent and posted to Gandhi Medical College, Secunderabad, on 01.07.2017. In the transfer counselling exercise undertaken by the Department, she is now transferred and posted to Government T.B. & C.D. Hospital, Ananthagiri. This order of transfer is under challenge in this Writ Petition.

3. According to learned counsel for the petitioner, husband of the petitioner is working in TSRTC in Secunderabad and therefore she should be retained in Hyderabad or at the place nearer to the place of her husband. She further submits that there are vacancies in Hyderabad and petitioner ought to have been accommodated instead of disturbing her. According to learned counsel, petitioner is due for retirement in the year 2020 and therefore at this fag end of service, she should not be transferred.

4. Learned Government Pleader for Medical and Health pointed out that even according to the averments in the affidavit filed in support of the Writ Petition, petitioner was originally appointed in agency area. According to the transfer guidelines, an employee of agency area should be posted back to agency area and therefore petitioner is posted to Ananthagiri, whereas she is requesting for

posting to a place other than the agency area, which is not permissible.

5. Apart from the issue of being an employee of agency area since the year 2008 petitioner was working in Hyderabad/Secunderabad and completed more than ten years of service. Therefore, there is no illegality in shifting the petitioner out of the city and to a place where her services are required. Merely because husband of petitioner is working in Secunderabad and petitioner is due for retirement in the year 2020 are not the grounds to retain her or to transfer her to a place other than agency area. According to the transfer guidelines, exemption from transfer is granted to an employee who retires from service before 31.05.2019, whereas petitioner is retiring in the year 2020. Therefore, I do not see any illegality in the order impugned in the Writ Petition.

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

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

Date:26.06.2018

KH

P. NAVEEN RAO, J