

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.25915 OF 2018

Date: 26.07.2018

Between:

S.Umarani, D/o. Ramaiah, 40 years,
District Legal Metrology Officer,
(District Inspector), (on leave),
O/o DLMO, LM, Medchal,
Maklajgiri District.

.....Petitioner

and

Controller of Legal Metrology,
State of Telangana, 209, PWD Building,
Gandhinagar, Hyderabad and others.

.....Respondents



The Court made the following:

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ORDER:

Petitioner is working as District Legal Metrology Officer and was posted on transfer to Medchal vide proceedings dated 11.10.2016. In the recent transfer counseling exercise undertaken by the Department, pursuant to lifting of ban on transfers, petitioner exercised option for retention or for posting to various other places and has given Karimnagar as last option. Petitioner was transferred to Karimnagar. Against transfer to Karimnagar, petitioner made representation requesting for retention. In the representation, petitioner has also cited reasons that her husband is working in private Engineering College at Hyderabad; 1st son is studying in Rashtriya Indian Military College (RIMC), Dehradun; 2nd son is preparing for admission in RIMC, Dehradun; and that her aged mother is dependent on her. Considering said request, in modification of earlier transfer order, petitioner is now transferred and posted as District Legal Metrology Officer, Headquarter-I, Hyderabad. This order is under challenge in this writ petition.

2. According to learned counsel for petitioner, petitioner ought to have been retained in Medchal as she has not completed not even two years in that place to disturb from that place.

3. Learned counsel for petitioner sought to contend that her transfer to Karimnagar was erroneously made and contrary to the transfer guidelines and even though she gave other places as her preference, the last option chosen by her was assigned and she

was transferred deliberately while unofficial respondent was accommodated his choice of place.

4. This issue does not arise for consideration having regard to the fact that on a request made by petitioner for modification of earlier order of transfer, petitioner is now transferred to Hyderabad.

5. The only issue for consideration is whether posting of petitioner to Hyderabad without retaining her in Medchal is valid.

6. A bare perusal of the order impugned would show that it was made based on her representation dated 09.06.2018. In the representation, petitioner stated that her husband is working in private Engineering College at Hyderabad and her 2nd son is preparing to secure admission in Rashtriya Indian Military College, Dehradun. That being so, it cannot be said that petitioner request was not validly considered in posting her to Hyderabad.

5. At this stage, learned counsel for petitioner would further submit that the duties and responsibilities attached to the post at Headquarters-I, Hyderabad involve examination of Autos running in old city area and petitioner being a lady may have lot of difficulties in such working conditions. That being so, it is open to petitioner to make a representation, explaining her difficulties in present place of working, requesting to the competent authority to suitably accommodate or rearrange the jurisdiction assigned to her. As and when such representation is made, the 1st respondent shall examine the request of petitioner and to pass appropriate orders as warranted by law having regard to the difficulties

explained by her. A decision shall be made and communicated to petitioner within a period of three weeks from the date of submissions of representation. Writ Petition is accordingly disposed of. It is needless to observe that petitioner may work out her remedies if aggrieved by any decision made on such representation. Pending miscellaneous petitions shall stand closed.

JUSTICE P.NAVEEN RAO

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