

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.33623 OF 2018

Dated:20.09.2018

Between:

Pagadala Krishna Murthy,
S/o. Pagadala Venkateswarlu,
Aged about 59 years, Occ: Additional
Commissioner, Municipal Corporation,
Anantapuram, EMP ID No.1054723,
Anantapuram District, Andhra Pradesh .. Petitioner

And

The State of Andhra Pradesh, rep., by its
Principal Secretary, Municipal Administration
And Urban Development Department,
Secretariat at Velagapudi, Amaravathi,
Guntur District and others .. Respondents



The Court made the following:

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ORDER:

Heard.

2. Petitioner is working as Additional Commissioner in the 3rd respondent - Corporation. Grievance of the petitioner is that he is transferred from the post of Additional Commissioner from the 3rd respondent – Corporation and posted him as Administrative Officer, Anantapur – Hindupur Urban Development Authority (AHUDA), Anantapur.

3. Since the issue relates to the service dispute of an employee working in the State of Andhra Pradesh, the employee has to avail the remedy before the Andhra Pradesh Administrative Tribunal (APAT) constituted under the Administrative Tribunals Act, 1985 (for short, 'the Act'). As held by the Supreme Court in ***L. Chandra Kumar v. Union of India***¹, the APAT is the Court of first instance to adjudicate service disputes and an aggrieved employee cannot directly invoke the jurisdiction of this Court. As the petitioner has an effective and efficacious remedy provided under the Act, the Court is not inclined to entertain the Writ Petition.

4. The Writ Petition is accordingly dismissed granting liberty to the petitioner to avail appropriate remedies available under the Act. Pending miscellaneous petitions shall stand closed.

P. NAVEEN RAO, J

Date:20.09.2018

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¹ AIR 1997 SC 1125