HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITON No. 35124 of 2018

O R D E R:

The present writ petition is filed seeking to issue a writ of *Mandamus,* declaring action of respondent No.1 in issuing the impugned Memo dated 15.09.2018, as illegal and arbitrary.

It is submitted that on 07.07.2007 petitioner was appointed as Agriculture Officer, at Venkatapuram Mandal, Khammam District. In the year, 2016, she was elected as Office Bearer of Telangana Agricultural Officers' Association and was deputed as Treasurer of Khammam District. After lifting ban on transfers, respondent No.2 issued proceedings dated 06.09.2018 transferring the petitioner from MAO, Kusumanchi, Office of ADA (R), Kusumanchi, Khammam to MAO, Khammam, Office of ADA (R) Khammam, Khammam District. Respondents, initially retained the petitioner at Khammam vide orders dated 06.09.2018 and within six days, they have issued revised transfer orders posting her in the office of Deputy Director, (FTC), Khammam, contrary to the guidelines issued in circular memo dated 26.6.2012.

Heard Sri M.Vidya Sagar, learned counsel for petitioner and learned Government Pleader for Agriculture as well as Sri A.Giridhar Rao, learned counsel for respondent No.3 and perused the material on record.

Learned counsel for petitioner would submit that the petitioner was elected as office bearer of the association in the year 2016 and was deputed as Treasurer of Khammam District, and she is entitled to be continued in the same office, in which the petitioner worked earlier to her transfer. Hence, she cannot be transferred contrary to the guidelines issued in circular memo dated 26.6.2012.

Learned Government Pleader for respondent Nos.1 and 2 contends that even as per impugned proceedings, petitioner was transferred from the Office of Assistant Director of Agriculture to the office of Deputy Director of Agriculture and no prejudice would be caused in discharging her duties as treasurer of the Association since the said two offices are situated in one premises. Further, while transferring the petitioner, respondents had taken every care in protecting her rights by duly following the Circular Memo dated 26.12.2012.

Hence, the impugned order does not suffer from any irregularity or illegality warranting interference of this court.

Learned counsel for respondent No.3 would contend that in pursuance of the impugned transfer orders, respondent No.3 has already joined in the transferred place and the office of the Assistant Director of Agriculture and Deputy Director of Agriculture are situated within the same premises at Khammam and no prejudice would be caused to the petitioner, if she is transferred.

In view of the above submissions, it needs to examine the Circular Memo dated 26.6.2012 issued by the Government, which envisages as follows:

> *"the elected Office Bearers of Recognized Service Associations shall not be transferred from Districts/ Divisional/ Taluk Headquarters before completion of three terms or two terms as the case may be."*

In the instant case, by impugned proceedings, the petitioner is transferred to the office of DD (FTC), Khammam, which is situated in the same premises at Khammam, where she worked prior to her transfer. This Court finds force in the contention of counsel for respondents. The rights of the petitioner are not

infringed in transferring her within the same premises at Khammam. Therefore, there are no merits in the writ petition and the same is liable to be dismissed.

Accordingly, the writ petition is dismissed at the state of admission. No costs.

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

ABHINAND KUMAR SHAVILI, J

01.10.2018
*Mjl/**