

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.36281 OF 2018

Dated:10.10.2018

Between:

B.Sudhakar Rao, S/o.Venkaiah,
Aged about 47 years,
Assistant Director of Agriculture,
Manugur, Badradri Kothagudem District.

... Petitioner

And

The Commissioner and Director of Agriculture,
Opp: L.B. Stadium,
Hyderabad and others.

... Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P.NAVEEN RAO**WRIT PETITION No.36281 OF 2018****ORDER:**

Petitioner is working as Assistant Director of Agriculture in Manugur, Badradri Kothagudem District. Consequent to lifting of ban on transfers, petitioner requested for transferring him to various places in the option exercised by him. Request of the petitioner is not considered. Petitioner alleges that A.Srinivasa Rao, who is arrayed as 3rd respondent, though had put in only one year and seven months of service in Kothagudem is transferred and posted as Assistant Director of Agriculture in Khammam Town, whereas even though petitioner had put in more amount of service in the present station, he was not considered. Alleging arbitrary decision made in transferring the 3rd respondent and not considering the request of the petitioner, this writ petition is filed.

2. Admittedly, the transfers were made in June 2018. The ban was lifted for a limited period and government, now, re-imposed ban on transfers. Further, General Elections to State Assembly are notified. Therefore, transfers cannot be made unless the election commission requests transfer for the purpose of conducting of general elections. Therefore, at this stage, assuming that petitioner was wrongly ignored, while

considering the 3rd respondent, no direction to transfer the petitioner can be granted. Furthermore, on bare reading of the memo dated 15.06.2018, enclosed as Ex.P1, it is apparent that the 3rd respondent's request for transfer was considered on spouse grounds.

3. Prima facie, it does not appear that petitioner was deliberately ignored and person with less service was granted the benefit of transfer. Be that as it may, as noted above, the transfers were made on 15.06.2018, ban on transfers is re-imposed and now, election code is in force, no direction as sought for can be granted at this stage.

4. Accordingly, the writ petition is dismissed. However, it is always open to the petitioner to request for transfer as and when the transfer exercise is taken up by the respondent – State.

5. Miscellaneous petitions pending consideration, if any, in this case shall stand closed as consequence. There shall be no order as to costs.

01.05.2018
SS

P.NAVEEN RAO, J

THE HON'BLE SRI JUSTICE P. NAVEEN RAO



WRIT PETITION No.36281 OF 2018

10TH OCTOBER, 2018

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