

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.44428 OF 2018

O R D E R :

This writ petition is filed seeking a writ of mandamus declaring the action of the respondents in not considering the petitioner's case for request transfer in the existing vacancy of Physiotherapist on contract basis at DEIC, GGH, Kakinada by considering his representation dated 29.09.2018, as illegal, arbitrary and sought for a consequential direction to respondents to consider the petitioner's request for transfer from TEIC, Rampachodavaram to DEIC, GGH, Kakinada by considering his representation on 29.09.2018.

Heard Sri M.R.Tagore, learned counsel for the petitioner and the learned Assistant Government Pleader for Medical & Health.

It has been contended by the petitioner that he was selected for the post of Physiotherapist in pursuant to the notification issued by the 1st respondent at DEIC (Tribal) AH Rampachodavaram on contract basis by the 2nd respondent vide order dated 22.01.2016. Petitioner reported to duty on 29.01.2016 and ever since he has been discharging his duties at Rampachodavaram. The grievance of the petitioner is that he has submitted a representation on 29.09.2018 to respondent authorities with a request to transfer him to Government General Hospital, Kakinada stating that he has to look after his age old parents who are residing at Ramachandrapuram which is 100 km far away from Rampachodavaram. Petitioner further contends that respondents are not considering his representation and an appropriate order may be passed directing the respondents to consider his request to transfer him to Government General Hospital, Kakinada in accordance with rules.

Learned Government Pleader appearing for respondents submits that the petitioner has got no right to seek posting orders to one particular place and it is for the administration to post the officers according to their exigencies. Therefore, there are no merits in the writ petition and the same is liable to be dismissed.

This Court, having considered the rival submissions of both the parties, is of the considered view that this writ petition can be disposed of directing the respondents to consider the representation submitted by the petitioner on 29.09.2018 and pass appropriate orders in accordance with law, within four weeks from the date of receipt of copy of this order.

With these observations, the writ petition is disposed of. There shall be no order as to costs.

Pending miscellaneous applications, if any, shall stand closed in consequence.



ABHINAND KUMAR SHAVILI,J

Date: 06.12.2018
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