

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.3175 of 2019

ORDER:

This Writ Petition is filed seeking a Writ of Mandamus declaring the action of the 3rd respondent in issuing Memo dated 05.02.2019 for allotment of Assistant Linemen of combined operation division, Jagityal to the new and residuary operation division on 16.01.2019 by violating N.O.O(CGM-HRD)Ms.No.145, dated 13.07.2018 and without following guidelines of seniority list vide Memo dated 01.07.2017, as illegal, arbitrary and violative of principles of natural justice.

Heard Mr.K.Buchi Babu, learned counsel appearing for petitioners, and Mr.Zakir Ali Danish, learned Standing Counsel for respondents 2 to 4.

It has been contended by the petitioners that they originally belong to Karimnagar District and they are working as Assistant Linemen in Huzurabad Division. The petitioners further contended that the operation division of the respondents has been changed consequent upon creation of new Districts, and Huzurabad Division has been made as part and parcel of Karimnagar District carving out a separate Jagityal District. The petitioners have submitted representations to the respondents on 05.02.2019 requesting to transfer from Huzurabad Division to Karimnagar Division, but the respondents have not passed any orders on the said representations.

Learned Standing Counsel appearing for respondents has contended that the petitioners have not exercised option for allotment to Karimnagar Division and since the petitioners have not submitted option seeking allotment to Karimnagar Division, their cases cannot be considered and moreover consequent upon allotment to Hanamkonda Rural, the petitioners have been relieved from Huzurabad Division and at this point

of time, the cases of the petitioners cannot be considered for transfer from Huzurabad Division to Karimnagar Division. Therefore, there are no merits in the writ petition and the same is liable to be dismissed.

This Court, having considered the rival submissions, is of the considered view that if there are any vacancies, even after allotment based upon options, the cases of the petitioners can be considered.

Therefore, the writ petition is disposed of directing the respondents to consider the representations submitted by the petitioners on 05.02.2019 and pass appropriate orders in accordance with law within a period of four weeks from the date of receipt of a copy of this order. No order as to costs. Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

20-02-2019
v v

