

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.9344 of 2019

ORDER:

This Writ Petition is being disposed of at the admission stage with the consent of both the parties

2. This Writ Petition is filed seeking a Writ of Mandamus directing the respondents to consider the case of petitioner for posting him at Secunderabad in the existing vacancy (as on date) of Colonel in view of Posting/Transfer Policy para 10 (c) and 7 (c) in respect of Group "A" (DQAS & PSSO Cadre) Officers of DGAQ, dated 24-11-2016 and Government of India DOPT guidelines and para 3 of Transfer Policy dated 06-06-2014.

3. Heard Sri G.Pavana Murthy, learned counsel for the petitioner and Sri Namavarapu Rajeswara Rao, learned Standing Counsel, appearing for the respondents.

4. The petitioner contends that he is working as Senior Quality Assurance Officer with the respondents and he has rendered services at various places. He further submits that while he was working at Jabalpur, he has requested the respondents to consider his case for transfer in and around Secunderabad but he was transferred to Medak (Yeddumailaram), Medak District on 24-11-2016. He further contends that normally, a person would be retained in the

same place for three years, but the respondents, during December 2018, even before expiry of three years, called for options from the petitioner for transfer. The petitioner has given option at three places viz., Secunderabad, Cossipore and Varangoan on 04-01-2019. He further submits that he has a child who is mentally retarded and considering this ground, in terms of the Transfer Policy, his case has to be considered for transfer at his opted places. But the respondents, without considering his case under preferential category of the Transfer Policy, are making efforts to transfer him to some other distant place. Hence, the present Writ Petition.

5. Learned Standing Counsel for the respondents submits that the respondents will consider the case of the petitioner and pass appropriate orders on the representation of the petitioner submitted on 04-01-2019 in accordance with law.

6. Accordingly, the Writ Petition is disposed of directing the respondents to consider the case of the petitioner and pass appropriate orders on the representations of the petitioner made on 13-12-2018 and 04-01-2019 in accordance with law within a period of four weeks from the date of receipt of a copy of this order. It is needless to say that till the respondents consider the representations and pass orders, petitioner should be retained at Yeddumailaram, Medak District. No costs.

7. As a sequel, the miscellaneous petitions pending, if any, shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

Date: 30-04-2019
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