

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.9355 OF 2018

ORDER:

This writ petition is filed challenging the action of the respondents in provisionally allotting the petitioner to Bhadradri Kothagudem District vide proceedings dated 11.10.2017 as illegal and arbitrary.

It has been contended by the petitioner that he belongs to Nelakondapally of Khammam District and he was initially appointed as Police Constable in Khammam District and, during 2015, he was deputed to work in Hyderabad for a period of three years. The petitioner further contends that on completion of three years of deputation period, the respondents, instead of allotting him to Khammam District, have erroneously allotted him to Bhadradri Kothagudem District even though he is not native of Bhadradri Kothagudem District.

It is also the case of the petitioner that the entire exercise of allotting the employees by the respondents was undertaken without inviting options from the employees and, therefore, the impugned proceedings dated 11.10.2017 in so far as allotting him to Bhadradri Kothagudem District is liable to be set aside and the writ petition be allowed.

The petitioner further submits that he has submitted a representation on 10.03.2018 to the 1st respondent requesting to allot him to Khammam District by canceling his provisional allotment to Bhadradri Kothagudem District, but till date no action has been taken thereon.

Learned Government Pleader appearing for the respondents had submitted that the State Government had issued orders in G.O.Ms.No.375 dated 11.10.2016 to the effect that all the employees serving in the posts in the offices located in the villages, urban local bodies, mandals, divisions

and district headquarters relatable exclusively to the territory of a district, who are not covered by specific Government orders to provisionally serve a district on provisional basis till final allocation of employees is undertaken. It is also stated that these instructions were issued purely as a temporary measure and due to administrative exigencies and also in the public interest, therefore, the contention of the petitioner that he was provisionally allotted to Bhadradri Kothagudem District without taking his option is totally incorrect. Learned Government Pleader further submits that the options will be called for when final allocation of employees is done and allotting the petitioner to Bhadradri Kothagudem District vide order dated 11.10.2017 is only a provisional allotment and the orders of provisional allotment are passed based on exigencies of services and for administrative reasons. It is also stated by the Government Pleader that the request of the petitioner for his allotment to Khammam District would be considered when final allocation is done and that final allocation would be done by the respondents based on the options to be submitted by the employees, therefore, there are no merits in the writ petition and the writ petition is liable to be dismissed.

This Court, having considered the rival submissions made by the parties, is of the considered view that the respondents have undertaken the exercise of provisional allotment only, that too on administrative exigencies of services and also in the public interest. Whenever the respondents undertake final allotment, the case of the petitioner for his allotment to Khammam District would be considered. Thus, this Court is not inclined to interfere with the provisional allotment of the petitioner to Bhadradri Kothagudem District. There are no merits in the writ petition and the writ petition is liable to be dismissed.

The writ petition is accordingly dismissed. No order as to costs.

Consequently, miscellaneous petitions pending, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

8th April, 2019
v v

