

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.4465 OF 2020

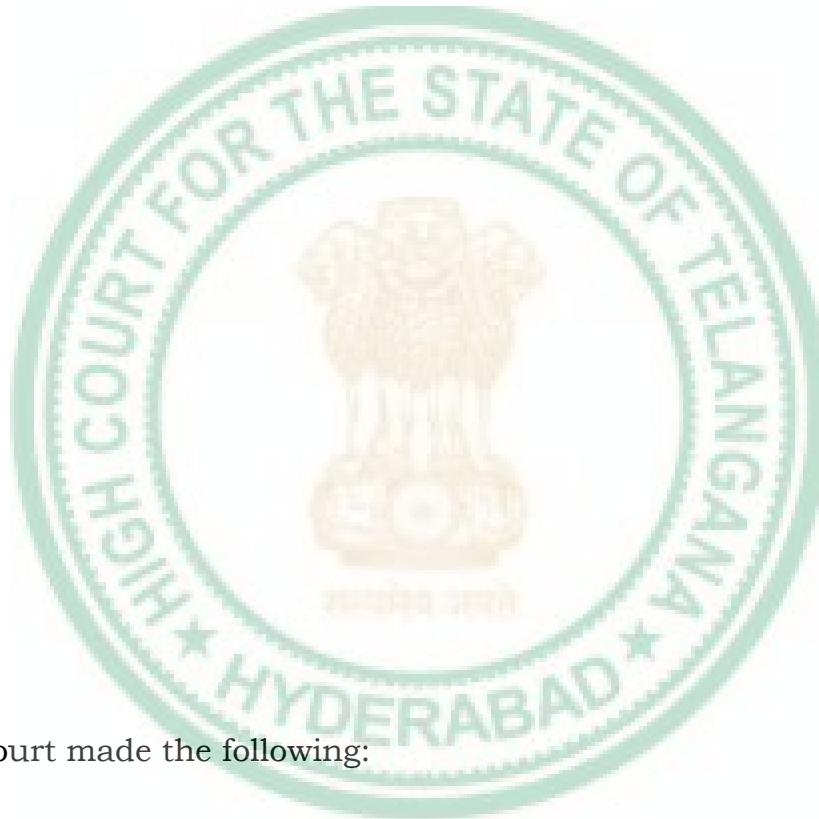
Dated:28.02.2020

Between:

D. Durga Prasad, S/o. Sanjeeva Rao .. Petitioner

And

The District Collector (Panchayat Wing)
Sangareddy, Telangana State and others .. Respondents



This Court made the following:

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

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ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Services – II for respondents 1 to 4.

2. Petitioner and respondent No.5 belong to the undivided Medak District before reorganization of the Districts and formation of new Districts. After formation of new Districts, certain administrative measures were taken temporarily for the purpose of attending to the work to the newly formed Districts and cadres are yet to be allocated permanently and allotment of employees to the Districts is not finalized. By the orders of the Government vide G.O.Ms.No.92, General Administration (SPF – MC) Department, dated 27.03.2017, the Government appointed the District Collectors of the erstwhile Districts/Pre-bifurcated combined Districts as the Nodal Officers to regulate all the service conditions of the employees working in the newly formed Districts, which formed part of the original Districts before bifurcation. The District Collector, Sanga Reddy District, is the Nodal Officer for the erstwhile Medak District. By proceedings issued in February 2020, certain temporary promotions were effected in the existing vacancies of the Senior Assistants arising out of the promotions granted to the post of Divisional Panchayat Officer and District Panchayat Officer in the newly formed District Units. Petitioner and respondent No.5 were promoted as Senior Assistants. After promotion, petitioner is now transferred to Medak District as Senior Assistant and respondent No.5, who was earlier working in Siddipet District, is now transferred and posted as Senior Assistant

in Sanga Reddy District. Hence, the Writ Petition challenging transfer of petitioner to Medak District and respondent No.5 to Sanga Reddy District.

3. According to learned counsel for the petitioner, even though the District Collector is the Nodal Officer, he is not competent to transfer an employee working in Siddipet District to Sanga Reddy District and transferring an employee working in Sanga Reddy District to post division Medak District. The said action is *ex facie* illegal. There is no justification in transferring an employee working in one District to another and bringing a person from another District to Sanga Reddy District and the same is arbitrarily made.

4. It is not in dispute that the cadres are not bifurcated and employees working in the erstwhile Districts are not allotted to the newly formed Districts. Therefore, the question of treating as belonging to a particular newly formed District does not arise. This arrangement is made only for the administrative convenience of running new Districts and all the service conditions would be regulated after finalization of allocation of the cadres and employees. In accordance with the provisions of the Presidential Order, the post of Senior Assistant is a zonal post and service conditions of the post are regulated based on the seniority in the Zone. All this would arise only after allocation is finalized. Since the cadres are yet to be finalized, as Nodal Officer of Sanga Reddy District, promotions and transfers effected by the District Collector cannot be faulted. Merely because petitioner was working in the lower post in the Sanga Reddy District, he cannot claim as a

matter of right that he should be retained in Sanga Reddy District only and person who is working in Siddipet cannot be brought to Sanga Reddy District. I see no merit in the Writ Petition and the same is liable to be dismissed.

5. The Writ Petition is accordingly dismissed. There shall be no order as to costs. Pending Miscellaneous Petitions, if any, shall stand closed.

P. NAVEEN RAO, J

Date:28.02.2020

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