APHC010706772022

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3458]**
(Special Original Jurisdiction)

TUESDAY ,THE FIRST DAY OF APRIL
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 42273/2022

Between:

A P Srinivasa Deekshitulu **...PETITIONER**

AND

The State Of Andhra Pradesh and Others **...RESPONDENT(S)**

Counsel for the Petitioner:

1. T BALAJI

Counsel for the Respondent(S):

1. GP FOR ENDOWMENTS
2. V.DYUMANI (SC for TTD)

The Court made the following:

ORDER:-

Heard Sri T.Balaji learned counsel for the petitioner and Smt. V.Dyumani, learned Standing Counsel appearing for the 2nd respondent.

2. The writ petition is filed challenging the proceedings of the 2nd respondent dated 10.12.2022, in refusing to post the petitioner at Srivari Temple, Tirumala, as Pradhana Archaka.

3. It is contended by the petitioner that consequent upon abolition of Mirasi rights in the state of A.P, and in the light of the decision of the Hon'ble

Apex Court in W.P.No.638 of 2017, the Government of Andhra Pradesh vide G.O.Ms.No.855 dated 08.10.1997,to accommodate the archaka Mirasidars, has accorded sanction for the posts of Pradhana Archaka with pay scales. In terms of the same four members from out of the four families viz., Peddintivari family, Paidipallivari family, Gollapallivari family, Thirupathammagari family were permitted to do archakatvam. Accordingly, one A.P.Srinivasamurthy Deekshitulu of Peddintivari family was appointed as one of the Pradhana Archaka of Govindaraja Swamy Temple, Tirupati vide proceedings dated 09.06.1998. The Tirumala Tirupati Devasthanam vide its resolution dated 16.05.2018 has taken a decision to retire those of the religious staff working in Tirumala and Sri Govindarajaswamy Temple at Tirupati who attains the age of 65 years. In the resultant vacancy it has been resolved by them to fill with the eligible persons from amongst the eligible erstwhile mirasi dars. Accordingly, Sri A.P.Srinivasamurthy Deekshithulu was permitted to retire, on 16.05.2018, in the resultant vacancy the petitioner who is from the family of Peddinti, who was posted at Srivari Temple, Tirumala as Archaka was permitted to render his services at Sri Govindarajaswamy Temple, Tirupati vide proceedings dated 17.05.2018 as Pradhana Archaka.

4. The petitioner, vide his representation dated 08.09.2018 to the 2nd respondent, requested him to post as Pradhana Archaka at Srivari Temple Tirumala, stating that the Peddinti family had not got its turn for 5 years, i.e., by the date of his representation. The 2nd respondent rejected the request

made by the petitioner stating administrative reasons. Challenging the same, the instant writ petition is filed.

5. The 2nd respondent filed a counter affidavit stating that the petitioner has no vested right to seek posting at a particular place of his choice. While he was Archaka at Tirumala was posted at Sri Govindarajaswamy Temple, Tirupati as Pradhana Archaka. After joining Sri Govindarajaswamy Temple, Tirupati, immediately after three months, the petitioner made representation seeking his posting at Tirumala. And since then has been representing for posting at Srivari Temple, Tirumala. The emoluments that Pradhana Archakas received at both temples are the same, and he would not be deprived of any emoluments if he renders services at Sri Govindarajaswamy Temple, Tirupati . It is contended that the transfers are effected to meet the administrative exigencies. The employees cannot have any vested right to be posted at a particular place. Further, it was stated that there is no need to transfer Pradhana Archaka of Sri Govindarajaswamy Temple, Tirupati to Sri Vari Temple or vice versa. It is only the members from the four families *viz.*, Peddintivari family, Paidipallivari family, Gollapalli vari family, Thirupathammavari family perform Archakatwam/Kainkaryam to Lord Venkateswara Swamy at Tirumala and to Lord Sri Govindarajaswamy Temple, Tirupati. Among these four families, two families, i.e., the Peddinti family and Tirupathamma vari families, get their respective terms of Archakatvam service at Srivari Temple and in Sri Varaha Varadaraja Swamy Vari Temple at Tirumala as well as in Sri Govindarajaswamy Temple, Tirupati. The other two

families, the Gollapalli and the Pydipalli families, get their terms of Archakatvam service in Srivari Temple and Sri Varaha Varada Raja Swamy Vari Temple in Tirumala. The petitioner belongs to the Peddinti family. Depending upon the experience of the persons concerned and depending on the requirements of these temples, the Archakas of these families are posted at their respective temples.

6. Considered the rival submissions. It is not pleaded by the petitioner that the respondents have shown any vindictive or arbitrary attitude towards the petitioner and have acted malafide in effecting his transfer. As noted from the material placed before the Court, the petitioner's family is supposed to render their services between three temples, viz., Srivari Temple, Sri Varaha Varadaraja Swamy Vari Temple and Sri Govindarajaswamy Temples. He was rendering services as Archaka at Tirumala, he was posted as Pradhana Archaka at Sri Govindarajaswamy Temple at Tirupati. Immediately after three months of rendering service at Sri Govindarajaswamy Temple, Tirupati, the petitioner started making representations to 2nd respondent seeking transfer to Srivari Temple, Tirumala, which shows his reluctance to serve at Sri Govindarajaswamy Temple, Tirupati. After the transfer is effected, one is at liberty to make representation to the employer, bringing to their notice, his grievances from working at the transferred place. In his representations, the petitioner did not mention any difficulties in working at GT, Tirupati.

7. The scope of judicial review in cases relating to transfers, which is made on account of administrative exigencies, is very limited. The petitioner cannot claim any vested right to seek posting at a particular place. It is for the employer, having regard to the administrative contingencies, to decide on transfers, and such a decision, in the absence of any arbitrary and malafide attributions being made or established, cannot be interfered with under Article 226 of the Constitution of India.

8. Accordingly, the writ petition is dismissed. There shall be no order as to costs.

As a sequel, interlocutory applications, pending if any, shall stand closed.

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JUSTICE KIRANMAYEE MANDAVA

Date:01.04.2025
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THE HON'BLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION No.42273 of 2022

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