APHC010526082026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3460]**
(Special Original Jurisdiction)

MONDAY, THE 5th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 28565/2026

Between:

1. MOHAMMAD BASHA, S/O. M. D. ALI, OCC. PHARMACY OFFICER (PHARMACIST GRADE- II), AGED ABOUT 39 YEARS, 0/O PHC, KANITHI, VISAKHAPATNAM, DISTRICT 530017.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL SECRETARY, HEALTH, MEDICAL AND FAMILY WELFARE DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT.-522237
2. THE COMMISSIONER OF FAMILY WELFARE CFW, MANGALAGIRI, GUNTUR DISTRICT-522503
3. THE DIRECTOR OF PUBLIC HEALTH AND FAMILY WELFARE, BSNL BHAVAN, OPP. CHUTTUKUNTA, ELURU ROAD, VIJAYAWADA, KRISHNA DISTRICT-521225
4. THE REGIONAL DIRECTOR, MEDICAL AND HEALTH SERVICES, ZONE-I, VISAKHAPATNAM-530013
5. THE DISTRICT MEDICAL AND HEALTH OFFICER, DISTRICT MEDICAL AND HEALTH OFFICE, VISAKHAPATNAM DISTRICT. 530013

...RESPONDENT(S):

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased toissue a writ, order or direction more particularly one in the nature of Writ of Mandamus, declaring the inaction of the respondents in not considering and disposing of the Petitioner representations dated 03.09.2026 and 09.09.2026 as illegal, arbitrary, injustice, Contrary to the Principles of natural Justice and Violation of provision of Article 14, 16 and 21 of Constitution of India and Consequently direct the respondents to Consider the Petitioner representations dated 03.09.2026 and 09.09.2026

IA NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased direct the respondents to Consider the Petitioner representations dated 03.09.2026 and 09.09.2026 pending disposal of the above Writ Petition

Counsel for the Petitioner:

1. BALA RAMESH YALAVARTHI

Counsel for the Respondent(S):

1. GP FOR SERVICES I

The Court made the following:

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

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ORDER:

1. The present Writ Petition is filed questioning the inaction of the Respondent-Authorities in not considering the representations, dated 03.09.2026 and 09.09.2026 of the Petitioner, as illegal and arbitrary.

2. The facts leading to filing of the present Writ Petition are as follows:-

The Petitioner is working as a Pharmacy Officer at PHC, Bandaluppi, Parvathipuram Manyam District, since 28.03.2022. The Petitioner had submitted an application on 31.05.2025 seeking transfer outside the Tribal Area in the light of the General Transfer Policy issued vide G.O.Ms.No.23, Finance (HR-I-PLG & Policy) Department, dated 15.05.2025, where-under a preference was given to employees who have worked for more than two years in tribal areas. As the application of the Petitioner was not being considered, the Petitioner filed W.P.No.33574 of 2025 before this Court and this Court, taking note of the service of the Petitioner, had directed the Respondents therein to consider the representation of the Petitioner vide its orders dated 03.12.2025.

3. Consequent thereto, the Petitioner was posted to work at PHC, Kanithi, Visakhapatnam District. Now, the Petitioner submitted representations, dated 03.09.2026 and 09.09.2026, seeking posting at PHC, Bandaluppi, on account of the health condition of his wife and mother. As the representations are not being considered, the present Writ Petition is filed.

4. Learned Assistant Government Pleader submitted that the representations given by the Petitioner would be examined by the Respondent-Authorities and an appropriate decision would be communicated to the Petitioner.

5. Heard Sri Bala Ramesh Yalavarthi, learned counsel for the Petitioner as well as learned Assistant Government Pleader.

6. Considering the submissions, with the consent of learned counsel appearing on both sides, this Writ Petition is disposed of at the admission stage, with the following directions:-

(i) The Respondent-Authorities are directed to consider the representations, dated 03.09.2026 and 09.09.2026, given by the Petitioner and to communicate an appropriate decision to the Petitioner, after taking note of the factual assertion

with regard to the health condition of the wife and mother of the Petitioner, within a period of three weeks from the date of receipt of a copy of this order.

7. No order as to costs.

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

JUSTICE NYAPATHY VIJAY

Date: 05.10.2026
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THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

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Dated: 05.10.2026

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