

THE HON'BLE Mr. JUSTICE GODA RAGHURAM

TUESDAY, THE 31<sup>ST</sup> DAY OF JANUARY, 2006

W.P.No. 27356 of 2005

Between:-

K. Satyanarayana

--Petitioner

And

The Food Corporation of India rep., by its Executive Director (Zone), Zonal Manager,  
Zonal Office, Chennai-600 006.

--Respondent





THE HON'BLE MR. JUSTICE GODA RAGHURAM

W.P.No. 27356 of 2005

Oral order:-

What is challenged in this writ petition is an order of transfer of the petitioner. The petitioner, District Manager/Area Manager, Food Corporation of India, was transferred by an office order dated 13-12-2005 (impugned) from Nizamabad, his current posting, to the Regional Office, Hyderabad as A.G.M. His grievance is that his transfer was made shortly before his retirement from service on superannuation, which is scheduled in February, 2007; and even before his completing five years service at Nizamabad, whereat he was posted in August, 2004 and joined duty in September, 2004. According to the petitioner, such transfer before completion of five years and on the eve of retirement transgresses the administrative instructions that contour the discretion of the authority, instructions issued by the corporate office.

It is an established principle that executive instructions issued by a public authority to structure the discretion of the relevant authorities in effecting transfers of employees are not enforceable under Article 226 of the Constitution of India. The petitioner has been transferred from Nizamabad to Hyderabad and it is stated in the counter affidavit that his services at Hyderabad are required. It is a settled principle that law does not deal with trifles *De minimis non curat lex*. There are no merits. The writ petition is, accordingly, dismissed, in the circumstances, without costs.

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GODA RAGHURAM, J

Date: 31-01-2006

Pvks/\*

