

HON'BLE SRI JUSTICE R. SUBHASH REDDY

Writ Petition No.8194 of 2010

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Date: May 31, 2010
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Between:

J. Prasad Rao, S/o. Suryanarayana, aged about
51 years, R/o.13-6-462/1/3, Jafferguda,
Tallagadda, Hyderabad.

... Petitioner

And

The Andhra Pradesh Scheduled Caste
Cooperative Finance Corporation Ltd.,
Represented by its Vice Chancellor-cum-
Managing Director, Hyderabad, and another

... Respondents

Order:

The petitioner joined in the respondents-organization as Junior Assistant in the year 1985 and later promoted as Senior Assistant in the year 1986. Subsequently, he was further promoted as Assistant

Executive Officer and posted at Adilabad vide proceedings dated 28-11-2007. It is the case of the petitioner that while he was working at Adilabad, he contracted inducible ischemic heart disease and was advised to undergo treatment and he has undergone treatment at NIMS, Hyderabad. It is stated that the petitioner, while working at Kakinada, in March 2009, met with an accident, which resulted in injury to his legs and spine. It is stated that in view of the said injury, he is unable to perform heavy work, involving travel. It is also the case of the petitioner that his family is residing at Hyderabad and his wife is employed at Janasikshana Samsthan, Hyderabad. Explaining the aforesaid difficulties, the petitioner is said to have made an application dated 09-03-2010 to the first respondent requesting him to consider his case on humanitarian grounds and transfer him from Kakinada to Hyderabad. In the said application, the petitioner has also pleaded that in case it is not possible to transfer him as Assistant Executive Officer to Hyderabad, he may be reverted to the post of Senior Assistant. It is the grievance of the petitioner that no action has been taken on his application. Hence, the present writ petition.

2. Earlier, on 16-04-2010, the matter was adjourned so as to enable the learned standing counsel appearing on behalf of the respondents to obtain instructions and report.

3. When the matter is taken up today, while admitting that the petitioner was working at Adilabad prior to his transfer to East Godavari District, on 10-09-2008, it is submitted by the learned standing counsel that in view of the general ban on transfers, his application could not be considered by the respondents and his case will be considered as per the guidelines as and when ban is lifted. At the same time, it is also stated that there was relaxation of ban on

transfers for the period from 17-06-2009 to 16-07-2009.

4. I have perused a copy of the application submitted by the petitioner to the first respondent, in which he stated that he has suffered injuries to his spine and legs and undergoing treatment at Hyderabad. In the said application, it is also stated that in view of his taking treatment at Hyderabad and in view of the fact that his wife and family are residing at Hyderabad, due to frequent travel from Kakinada to Hyderabad, he is facing financial stringency.

5. Though it is submitted by the learned standing counsel appearing on behalf of the respondents that there is a ban on transfers, the same will apply to general transfers. If any representation is made seeking transfer on medical grounds, there is no reason to keep the same pending for inordinate period without taking any action thereon.

6. Having regard to the facts and circumstances of the case, I deem it appropriate to dispose of the writ petition directing the first respondent to consider the application of the petitioner dated 09-03-2010, wherein he has requested to transfer him as Assistant Executive Officer to Hyderabad or in the alternative as Senior Assistant, and pass appropriate orders. Consideration of the case of the petitioner shall be without reference to the orders of general ban on transfers, issued by the Government. In view of the health condition of the petitioner, decision shall be taken and communicated to him as expeditiously as possible, preferably within six weeks from the date of receipt of this order.

7. The writ petition is accordingly disposed of. No order as to costs.

May 31, 2010
MRR

R. SUBHASH REDDY, J