

IN THE HIGH COURT OF KARNATAKA AT KALABURGI

DATED THIS THE 29TH DAY OF DECEMBER, 2021

BEFORE

THE HON'BLE MR. JUSTICE E.S.INDIRESH
WRIT PETITION NO.202595 OF 2021 (S-TR)

BETWEEN:

SMT. S. SHARADHA,
W/O BUGGAPPA,
AGE-30 YEARS,
RESIDING AT WARD NO.8,
NEAR GOVERNMENT GIRLS HIGH SCHOOL,
UPPARAGADDA STREET AT POST,
GURUMITHAKAL,
YADAGIRI DISTRICT-585 214.

...PETITIONER

(BY SRI. GOPALAKRISHNAMURTHY.C, ADVOCATE)

AND:

1. THE PRINCIPAL SECRETARY,
DEPARTMENT OF PERSONNEL AND
ADMINISTRATIVE REFORMS,
5TH FLOOR, M.S. BUILDING,
BENGALURU-560 001.
2. THE PRINCIPAL SECRETARY,
WATER RESOURCES DEPARTMENT,
VIKAS SOUDHA,
BENGALURU-560 001.
3. THE PRINCIPAL SECRETARY,
REVENUE DEPARTMENT,

5TH FLOOR,
M.S. BUILDING,
BENGALURU-560 001.

4. THE CHIEF ENGINEER,
WATER RESOURCES DEPARTMENT,
ANAND RAO CIRCLE,
BENGALURU-560 009.
5. THE DEPUTY COMMISSIONER,
OFFICE YADAGIRI,
YADAGIRI DISTRICT- 585 214.
6. THE TAHASILDAR,
OFFICE GURUMITHAKAL,
YADAGIRI DISTRICT-585 214.

...RESPONDENTS

(BY SRI. MALLIKARJUN.C.BASAREDDY, HCGP)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA, BY THE ADVOCATE FOR PETITIONER PRAYING THAT THIS HON'BLE COURT MAY BE PLEASED TO (A) ISSUE DIRECTION, DIRECTING THE RESPONDENTS TO CONSIDER THE CASE OF THE PETITIONER IN TERMS OF THE REPRESENTATION DATED 02.06.2020 MARKED AT ANNEXURE-A BY TRANSFERRING THE PETITIONER FROM THE DEPARTMENT OF REVENUE TO THE DEPARTMENT OF WATER RESOURCES.

THIS WRIT PETITION COMING ON FOR **PRELIMINARY HEARING**, THIS DAY, THE COURT MADE THE FOLLOWING:

ORDER

Heard Sri. Gopalakrishnamurthy, learned counsel appearing for the petitioner and Sri. Mallikarjun C. Basareddy, Learned High Court Government Pleader for Respondent-State.

2. In this Petition, the petitioner has sought for a direction to respondents to consider the representation dated 02.06.2020 (Annexure-A).

3. It is not in dispute that the petitioner is working as Second Division Assistant in the Office of Tahasildar at Gurumitkal, Yadagir District. In that view of the matter as the petitioner is a Government servant, she has to exhaust her remedy by approaching the Karnataka Administrative Tribunal as per the provisions of the Administrative Tribunals Act. In view of the law declared by Hon'ble Apex Court in the case of L CHANDRA KUMAR vs. UNION OF INDIA AND OTHERS reported in AIR 1997 SC 1125, writ petition is not maintainable. Accordingly, the Writ petition is disposed of reserving the liberty

to the petitioner to approach Karnataka Administrative Tribunal
in accordance with law.

**Sd/-
JUDGE**

ARK