

IN THE HIGH COURT OF KARNATAKA, BENGALURU

DATED THIS THE 29TH DAY OF DECEMBER, 2021

PRESENT

THE HON'BLE MR. JUSTICE KRISHNA S.DIXIT

AND

THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

WRIT APPEAL NO.1398 OF 2021(S-TR)

BETWEEN:

SRI.LINGARAJU,
S/O SRI. LAKKEGOWDA,
AGED ABOUT 53 YEARS,
WORKING AS DEPOT MANAGER,
ARKALGUD WHOLESALE DEPOT
KARNATAKA FOOD & CIVIL SUPPLIES
CORPORATION LIMITED
HASSAN DISTRICT – 573 102.
R/AT LAKSHMIDEVI NILAYA,
VISVESHWARAIAH ROAD,
12TH MAIN, 8TH CROSS,
HEMAVATHINAGAR,
HASSAN – 573 102.

...APPELLANT

(BY SRI. BHUJ BALAIAH, ADVOCATE FOR
SRI. CHANDRAKANTH R GOULAY, ADVOCATE)

AND:

1. THE KARNATAKA FOOD AND CIVIL
SUPPLIES CORPORATION LTD.,
NO.16/1, MILLERS TANK BED AREA,
BENGALURU – 560 052.
REP BY ITS MANAGING DIRECTOR.

2. SRI.Y.V. SOMASHEKARA,
S/O LATE K BASAPPA GOWDA,
AGED ABOUT 57 YEARS,
WORKING AS JUNIOR ASSISTANT
DISTRICT OFFICE
HASSAN – 573 102.

... RESPONDENTS

(BY SRI. S RAJASHEKAR, AGA FOR R1)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE ORDER OF THE LEARNED SINGLE JUDGE MADE IN W.P.NO.13086/2021 DATED 22.10.2021(ANNEXURE-A) AND TO ALLOW THE WRIT PETITION BY SETTING ASIDE THE ORDER IMPUGNED THEREIN DATED 09.07.2021 PASSED BY THE 1ST RESPONDENT (ANNEXURE-F TO THE WRIT PETITION) AND TO PASS APPROPRIATE SUITABLE ORDER) AND ETC.,

THIS WRIT APPEAL COMING ON FOR ORDERS THIS DAY, **KRISHNA S. DIXIT.J.**, DELIVERED THE FOLLOWING:-

JUDGMENT

This intra-Court appeal lays a challenge to the order dated 22.10.2021 whereby the learned single judge of this Court in W.P.No.13086/2021 (S-TR) c/w W.P.No.17516/2021 (S-RES) has denied relief against the transfer in question.

2. Shri S Rajashekar, learned AGA, on request having accepted notice for the respondents opposes the appeal contending that the learned Single Judge has denied relief to the petitioner against the transfer in question on the sole ground that the Transfer Guidelines of the Corporation do not prescribe the minimum tenure at a particular office/post and this is consistent with what the Apex Court said in VARADHA RAO Vs. STATE OF KARNATAKA (1986) 4 SCC 131.

3. We are in agreement with the observations of the learned Single judge made in the impugned order

canvassed as above and the submission of learned Government Advocate.

In the above circumstances, this writ appeal being devoid of merits, is liable to be rejected and accordingly it is, costs having been made easy.

**Sd/-
JUDGE**

**Sd/-
JUDGE**

Bsv