
(1999) 04 AP CK 0028

In the Andhra Pradesh High Court

Case No : Writ Petition No. 7288 of 1999

U. Appa Rao

APPELLANT

Vs

APSRTC, Musheerabad, Hyderabad and others

RESPONDENT

Date of Decision : 07-04-1999

Acts Referred:

Citation : (1999) 3 ALD 336 : (1999) 3 ALT 215 : (1999) 82 FLR 803

Hon'ble Judges : S.R. Nayak, J

Bench : Single Bench

Advocate : Mr. S.M. Subhan, for the Appellant; Mr. C.V. Ramulu, SC for APSRTC, for the Respondent

Judgement

1. Rule nisi. Sri C. V. Ramulu, Standing Counsel took notice for the respondents. The writ petition is finally heard with the consent of learned Counsel for the parties.

2. The petitioner who is Security Head Guard in the establishment of the respondent-Corporation, has assailed the validity of the officer order dated 24-3-1999 transferring him from Ealeshwaram to Vizianagaram. Learned Counsel for the petitioner assails the action on the ground that the petitioner was subjected to frequent transfers in his career and that he was transferred 18 times in his total service of 24 years and therefore the present impugned action is arbitrary. Learned Counsel also contends that the petitioner is suffering from "Diaorhoea" and therefore he could not be transferred to Vizianagaram.

3. Who should work where is essentially for the employer to decide. Simply because the petitioner was transferred 18 times during his service, that fact itself cannot be a vitiating factor to nullify the present impugned transfer orders, if the public interest and the administrative exigencies require shifting of an employee from one place to another, the employer is undoubtedly having the power to effect transfers.

4. Advertent to the second contention, suffice to state that the relative hardship

that may be caused to the transferred employee is not for the Court to decide and it is for the employer to consider. If the petitioner makes an application for his retention at the present place, it is for the transferring authority to appreciate the hardship pointed out by the petitioner. It is well settled that the High Court cannot go into the relative hardship that may be caused to the employee on account of the transfer. The writ petition is therefore dismissed. "No costs.