

HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

MAIN CASE No.: W.P. No.7532 of 2025

PROCEEDING SHEET

Sl. No	DATE	ORDER	OFFICE NOTE
02	26.03.2025	<u>CGR, J</u> Learned Government Pleader for Services – I takes notice for respondents 1 to 6 and 9. Issue notice to respondents 7, 8 and 10. Learned counsel for petitioner is permitted to take out personal notice on respondents 7, 8 and 10 by RPAD and file proof of service in the Registry. Petitioner, who is working as Office Superintendent at District Medical and Health Office, Eluru District, has been transferred and posted to office of District Medical and Health Office, ASR District at Paderu, on administrative grounds pending disciplinary action. The impugned proceedings dated 19.03.2025 by which the transfer is effected apparently disclosed that aforesaid transfer is made pending disciplinary action and based on directions of 2nd respondent vide proceedings Rc.No.13243-2621789/VC.1.B/2025, dated 06.03.2025. The 2nd respondent by aforesaid proceedings issued directions to 3rd respondent for effecting transfer of petitioner to far off and non-focal post out of Eluru District for the reason that petitioner along with others issued posting orders to certain unemployees who secured orders from this Court in the post of MPHA(M) on contract basis without prior approval of	

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Collector and District Magistrate and DPH&FW, Andhra Pradesh.

Prima facie, the aforesaid proceedings and as well as the consequential transfer proceedings on the face of it are in the nature of punishment before even initiating any disciplinary action.

Learned counsel for petitioner placed reliance on the judgment of the Hon'ble Apex Court in **Abani Kanta Ray v. State of Orissa and others** [1995 Supp (4) Supreme Court Cases 169], orders of the combined High Court for the State of Telangana and the State of Andhra Pradesh in **A.Ravinder Reddy and others v. Telangana State Road Transport Corporation and others** [2016 (6) ALD 127] and orders of this Court in **Y.V.Mohana Ranga v. State of Andhra Pradesh and others** [2024 (3) ALD 152(AP)], to contend that transfers cannot be effected as punitive measure. The matter requires consideration.

In view of the above, impugned proceedings vide Rc.No.665/E1/2025, dated 19.03.2025, issued by the 5th respondent shall stand suspended pending further orders.

List this matter after four weeks.

CGR, J
SS