



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3208]

MONDAY, THE SECOND DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE D RAMESH

WRIT PETITION NO: 33011/2025

Between:

1. SMT. N LAXMIKANTHAM,, W/O. G GANAPATHI RAO, AGED 57 YEARS, OCCUPATION. HEALTH EDUCATOR, R/O. JIYYAMMAVALASA (TRANSFERRED TO PHC SAMBARA), PARVATHIPURAM, VIZIANAGARAM DISTRICT

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, DEPARTMENT OF HEALTH, MEDICAL AND FAMILY WELFARE, SECRETARIAT, 5TH BLOCK, GROUND FLOOR, AP SECRETARIAT OFFICE, VELAGAPUDI, GUNTUR DISTRICT, ANDHRA PRADESH.

2. THE PUBLIC HEALTH AND FAMILY WELFARE DEPARTMENT, , REP BY ITS DIRECTOR, GOLLAPUDI, VIJAYAWADA, ANDHRA PRADESH. .

3. THE HEALTH AND FAMILY WELFARE DEPARTMENT, , REP BY ITS. COMMISSIONER, GOLLAPUDI, VIJAYAWADA, ANDHRA PRADESH.

4. THE REGIONAL DIRECTOR OF MEDICAL AND HEALTH SERVICES, REP BY ITS REGIONAL DIRECTOR, VISAKHAPATNAM - ANDHRA PRADESH.

5. THE DISTRICT MEDICAL AND HEALTH OFFICER, PARVATHIPURAM MANYAM DISTRICT (ERST WHILE VIZIANAGARAM DISTRICT) ANDHRA PRADESH

...RESPONDENT(S):

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased topleased to issue a Writ Order or direction particularly, one in the nature of writ of Mandamus declaring the action of the 4th respondent in issuing the Speaking Order Rc.No.I208/B 1/2025 dated 18.11.2025 as illegal, arbitrary, malafide and in willful disobedience of the order dated 10.10.2025 in W.P. No. 27459/2025, and consequently direct the respondents more particularly the 4th Respondent to post the petitioner in any Non-Agency/Urban area including PHC, Pusapatirega where a clear vacancy exists, and to forthwith restore the petitioner to PHC, Jiyyammavalasa pending such posting, and pass

Counsel for the Petitioner:

1.ANGURU MANOHAR

Counsel for the Respondent(S):

1.GP FOR SERVICES I

The Court made the following ORDER:-

The writ petition is filed declaring the action of the 4th respondent in passing speaking order dated 18.11.2025 as illegal and arbitrary and in willful disobedience of the orders of this Court dated 10.10.2025 in W.P.No.27459 of 2025.

2. Heard learned counsel for the petitioner and learned Assistant Government Pleader appearing for respondents.

3. Initially, the respondents have issued orders transferring the petitioner from Jiyyammavalasa Village PHC to Sambara PHC. Thereafter, the petitioner made a representation dated 03.09.2025 to consider her representation but the respondents have not considered the representation. Thereby, the petitioner approached this Court in W.P.No.27459 of 2025. The said writ petition is disposed of vide order dated 10.10.2025 directing the respondents to consider the representation of the petitioner dated 03.09.2025 for posting the petitioner in non agency area as expeditiously as possible preferably within a period of eight weeks.

4. Based on the above directions of this Court, the respondents have considered and disposed of the representation vide order dated 18.11.2025. Aggrieved by the same, the present writ petition.

5. The contention of the petitioner is that she is aged about 58 years and is on the verge of retirement. According to the instructions issued in G.O.Ms. No. 23 dated 15.05.2025, Clause (4)(xii) relating to the principles for transfers

and postings clearly indicates that postings in ITDA areas shall preferably be given to employees below 50 years of age, and employees who have not previously worked in ITDA areas shall be considered. In the instant case, as the petitioner is 58 years old, she cannot be posted in the agency area.

6. On perusal of the impugned order, it is evident that the respondents have considered the case of the petitioner in accordance with the guidelines issued by the Government. Taking into account the length of service at her previous station, where she completed 18 years of service at Jiyyammavalasa, the petitioner was relieved and posted to PHC Sambara against an existing vacancy. In fact, the petitioner had been working in an agency area, i.e., Jiyyammavalasa, for more than 18 years, whereas PHC Sambara is a plain Mandal like Makuva of Parvathipuram Manyam District. The said posting is in conformity with the guidelines issued by the Government. Accordingly, while implementing the orders of this Court in W.P. No. 27459 of 2025, the authorities have considered the matter and passed appropriate orders. In fact, as per the transfer orders, she had already been relieved on 15.09.2025. Hence, by taking the said fact into consideration, this Court is not inclined to interfere in this type of matters as the petitioner has already been relieved and has completed more than 18 years of service in the previous station. There is no illegality in the impugned orders.

7. Accordingly, the writ petition is dismissed.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE D.RAMESH

Date: 02.02.2026

Dvs

THE HONOURABLE SRI JUSTICE D.RAMESH

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Dated: 02.02.2026

Dvs