



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

WRIT PETITION NO. 20796 OF 2025 (S-RES)

BETWEEN:

SHRI. MANJUNATH H
S/O SHRI HANUMANTHARAYAPPA
AGED ABOUT 49 YEARS
ASSISTANT ENGINEER (E)
O/O ASSISTANT ENGINEER (E)
EMPLOYEE ID NO: 17599
C, O & M SECTION, BENSON TOWN UNIT
E-1 SUB DIVISION, BESCOM
NO. 13, 12TH CROSS JAYAMAHAL EXTENSION
JAYAMAHAL, BENGALURU - 560 046.

...PETITIONER

(BY SRI. IRFAN ALLANAKAR., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REP. BY ITS ADDITIONAL CHIEF SECRETARY
ENERGY DEPARTMENT
VIKASA SOUDHA
BENGALURU-560 001.
2. THE KARNATAKA POWER TRANSMISSION
CORPORATION LIMITED
REP. BY ITS MANAGING DIRECTOR
CAUVERY BHAVAN, BENGALURU-560 009.
3. THE DIRECTOR (ADMIN & HR)
KARNATAKA POWER TRANSMISSION
CORPORATION LIMITED
CAUVERY BHAVAN
BENGALURU-560 009





4. THE MANAGING DIRECTOR
BENGALURU ELECTRICITY SUPPLY COMPANY LTD
K R CIRCLE, BANGALORE-560 009.
5. GENERAL MANAGER (ADM & HR)
BENGALURU ELECTRICITY SUPPLY COMPANY LTD
K R CIRCLE, BANGALORE-560 009.
6. SHRI. VEERASWAMY
AGED ABOUT MAJOR
ASSISTANT ENGINEER (E)
EMPLOYEE ID NO. 16879
VIRUPAKSHAPURA, UNIT-22A
OPERATION AND MAINTENANCE
C-9 SUB DIVISION, BESCOM
BENGALURU-560 097.

...RESPONDENTS

(BY SRI. SPOORTHY HEGDE N HCGP FOR R1:
SRI B L SANJEEV, ADVOCATE FOR R2 AND R3:
SMT. SWAMINI G MOHANAMBAL, ADVOCATE FOR R4 AND R5:
SRI. PUSHPAKANTHA, ADVOCATE FOR R6)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO CALL FOR THE RECORDS PERTAINING TO THE ISSUANCE OF THE IMPUGNED OFFICIAL MEMORANDUM BEARING BESCOM/BC31/114/2025-26/276 DATED 04.07.2025, ISSUED BY THE 5TH RESPONDENT (ANNEXURE-E), AND UPON CONSIDERATION OF THE SAME, BE PLEASED TO QUASH AND SET ASIDE THE SAID MEMORANDUM, IN SO FAR AS IT PERTAINS TO THE PETITIONER ONLY AND ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:



CORAM: HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

ORAL ORDER

1. In this writ petition, the petitioner has sought for the following relief/s:

"(i) To call for the records pertaining to the issuance of the impugned Official Memorandum bearing No. dated BESCO/BC31/114/2025-26/276 04.07.2025, issued by the 5th Respondent (ANNEXURE-E), and upon consideration of the same, be pleased to quash and set aside the said memorandum, in so far as it pertains to the Petitioner only;

(ii) To issue a direction or any other appropriate writ, order or direction, directing the Respondent authorities to give effect to and implement the Movement Order dated 02.07.2025 (ANNEXURE-D), thereby permitting the Petitioner to assume charge at the assigned office, in furtherance of the principles of fair administrative governance and in accordance with the binding transfer guidelines dated 12.05.2025 (ANNEXURE – B); and

(iii) To pass such other order or direction as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case, in the interest of justice and equity."



2. The case of the petitioner is that he was appointed as a Junior Engineer on 30.08.2007 in respondent No.2-Karnataka Power Transmission Corporation Limited (KTPCL) and was thereafter promoted to the post of Assistant Engineer on 25.01.2023. He reported to his place of posting on 06.02.2023 at Benson Town E-1 Sub-Division, BESCOM, Bengaluru. By order dated 27.06.2025 issued by respondent No.2-KTPCL vide Annexure-C, the petitioner was transferred from Benson Town E-1 Sub-Division, BESCOM, to Virupakshapura Unit-O&M 22, C-9 Sub-Division, BESCOM, Bengaluru, in place of respondent No.6. Thereafter, respondent No.4, by the impugned order dated 04.07.2025 vide Annexure-E, kept the said transfer order in abeyance. Being aggrieved by the same, the petitioner is before this Court.

3. Learned counsel appearing for the petitioner submitted that the transfer order was passed by



respondent No.2-KPTCL vide Annexure-C. Respondent No.4-BESCOM has no authority to keep the transfer order dated 27.06.2025 in abeyance. He further contended that once the petitioner was transferred, he is entitled to a tenure of two years as per the Transfer Guidelines produced as Annexure-B dated 12.05.2025. Before the completion of the said tenure, the transfer order has been withheld/kept in abeyance.

4. Learned counsel appearing for respondent Nos.4 and 5 has submitted that in the public interest, the transfer order has been kept in abeyance. The order passed by the KPTCL is only a 'Movement Order' and it is not a 'Transfer'. Therefore, he cannot seek any protection/defense under the Transfer Guidelines dated 12.05.2025.

5. Learned counsel, Sri B.L. Sanjeev, undertaking for respondent No.2, submitted that respondent No.2 has passed the transfer order vide Annexure-C in accordance



with law, as the petitioner has completed his term of five years.

6. Heard the learned counsel for the parties. Perused writ petition papers.

7. It is not in dispute that, by order dated 27.06.2025, the petitioner was transferred from Benson Town E-1 Sub-Division, BESCOM, to Virupakshapura Unit-O&M 22, C-9 Sub-Division, BESCOM, Bengaluru, in place of the private respondent. Once the transfer order has been passed by respondent-KPTCL, respondent No.4-BESCOM has no authority to keep the said transfer order in abeyance. Even as per the Transfer Guidelines dated 12.05.2025 vide Annexure-B, Group-D employees are entitled to a tenure of two years. The transfer order was passed by respondent-KPTCL on 27.06.2025, and within one month, the impugned order came to be passed.

8. The Division Bench of this Court in W.A.No.1146/2024 disposed of on 03.09.2024 has



considered that deployment is also a transfer. The relevant paragraph Nos.26 to 28 and 37 are extracted below:

"26. Another aspect needs to be noticed and relevant is, the similar situation was provided in the Government Order dated 07.06.2013. Clause 3(d) of the Government Order dated 07.06.2013 defines 'Transfer' and follows a Note to the definition of Transfer. The same reads as,

"(d) 'Transfer' means the posting of a Government servant from one headquarters to another headquarters or from one office to another within the same headquarters to take up duties of a new post or in consequence of a change of headquarters;

Note:- Movement of a Government servant within the same office/ unit from one post to another one or desk/ compilation to another one under the same head office shall not be treated as transfer."

27. The Note to definition of Transfer states that movement of government servant within the same office/unit from one post to another one, or desk/ compilation to another one under the same head office shall not to be treated as transfer. The scope of 'Note' falls for consideration before this Court. Full Bench of this Court, in the case of S.N.



Gangadharaiah (supra), held that posting of a government servant from one office to another within the same headquarters to take up the duties of a new post would tantamount to transfer.

28. The contention of the learned advocate appearing for the appellant that unless the transfer is in violation of statutory provisions, the Court cannot interfere with the transfer and violation of transfer guidelines, which are administrative instructions/ guidelines, will not enable invoking writ jurisdiction, is not acceptable. As held by the Hon'ble Supreme Court in the case of S.L. Abbas (supra), the Court can interfere in a transfer order when made in violation of statutory provisions. The Full Bench of this Court in the case of H.N. Chandru (supra), while dealing with 2001 Transfer Guidelines and the Full Bench of this Court in the case of S.N. Gangadharaiah (supra) dealing with 2013 Transfer Guidelines held that the transfer guidelines a statutory force as it is issued to supplement the Karnataka Civil Services Rules (KCSRs) as regards the matter that is not provided under KCSRs.

37. In light of the above discussion, consideration of the Transfer Guidelines 2024, and applying judgments relied on by the respective learned advocates for the parties, the following,



Conclusion:

(i) The posting of a government servant from one office to another office within the same headquarters in an urban area is governed by Transfer Guidelines 2024 in Government Order No. DPAR 33 STR 2024, Bengaluru, dated 25.06.2024.

(ii) The government servant is protected with minimum tenure of posting under Clause 6 of Government Order dated 25.06.2024 in case of deployment.

(iii) The Explanation to definition "Deployment" would not override the substantive procedure mandated under Transfer Guidelines 2024.

(iv) The reduction of minimum tenure posting of government servant shall be in the circumstances under Clause 7 of the Government Order dated 25.06.2024.

(v) The posting of respondent No.3 from Regional Office, Sarjapura, Bengaluru to Head Office, Bengaluru is against minimum tenure of posting. Hence, premature.

(vi) This Court cannot find any error in the order of leaned Single Judge which warrants interference."



9. In view of the above, the impugned order at Annexure-E has been passed without jurisdiction and is contrary to the Transfer Guidelines dated 12.05.2025 vide Annexure-B and the same is liable to be quashed.

10. Accordingly, the following order is passed:

ORDER

- a) The writ petition is allowed.
- b) The impugned order dated 04.07.2025 passed by respondent No.5 vide Annexure-E is quashed.

Sd/-
(H.T. NARENDRA PRASAD)
JUDGE