

ITEM NO.14

COURT NO.10

SECTION IVA

S U P R E M E                      C O U R T   O F   I N D I A  
R E C O R D   O F   P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No(s).19073/2011

(From the judgement and order dated 01/06/2011 in  
of The HIGH COURT OF KARNATAKA)

WP No. 2009/2011

POOVAPPA

Petitioner(s)

VERSUS

STATE OF KARNATAKA &amp; ANR.

Respondent(s)

(With prayer for interim relief)

Date: 29/07/2011            This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI  
HON'BLE MR. JUSTICE H.L. DATTU

For Petitioner(s)            Mr. S.N. Bhat, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following  
O R D E R

This petition is directed against the order passed by the  
Division Bench of the Karnataka High Court whereby the writ  
petition filed by the petitioner against order dated 16.12.2010  
passed by the Karnataka Administrative Tribunal (for short, 'the  
Tribunal') refusing to interfere with the transfer of the  
petitioner from the post of Executive Officer, Sri Mahalingeshwar  
Temple, Padubidri, Udupi to the post of Superintendent in the  
Office of Assistant Commissioner, Department of Hindu Religious  
Institutions and Charitable Endowments, Udupi was dismissed.

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We have heard Shri S.N.Bhat, learned counsel appearing  
for the petitioner for some time and carefully perused the detailed  
order passed by the Tribunal and the impugned order of the High  
Court. In our considered view, the order of transfer did not  
suffer from the vice of violation of any statutory provision or  
arbitrary exercise of power by the competent authority and the  
Tribunal and the High Court did not commit any error by refusing to  
interfere with the same.

The special leave petition is accordingly dismissed.

It is made clear that if the petitioner does not report at the transferred place within a period of seven days from today, then the competent authority shall initiate disciplinary action against him.

A copy of this order be sent to the Commissioner, Hindu Religious Institutions and Charitable Endowments, Bangalore by fax by 01.08.2011.

(Satish K.Yadav)  
Court Master

(Phoolan Wati Arora)  
Court Master