HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)

TUESDAY, THE NINETEENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE THE CHIEF JUSTICE APARESH KUMAR SINGH
AND
THE HONOURABLE SRI JUSTICE G.M. MOHIUDDIN

WRIT PETITION NO: 24328 OF 2025

Between:

Dr Syed Shuaib Quadri, S/o Syed Imad Ali Qaudri Age 57 years, Occ. Civil assistant surgeon R/o H.No. 17-9-616, Yakutpura post Hyderabad Telangana -500023

...PETITIONER

AND

1. The State of Telangana, Represented by its Principal Secretary Medicinal And Health Department, Telangana Secretariat, Hyderabad
2. The Director of Heath and Family and Welfare, Telangana Koti, Hyderabad
3. The District Medical and Health Officer, Vikarabad District, Telangana
4. The State of Andhra Pradesh, Represented by its Principal Secretary Medical and Health Department, Andhra Pradesh, Amaravathi
5. The Director Of Heath and Family and Welfare, Government of Andhra Pradesh, At Amaravathi

...RESPONDENTS

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 to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in allocating the petitioner to the State Andhra Pradesh by issuing the Movement Order vide Rc No. 58/E1/DM&HO/VKB/2017 DATED 28.02.2017 as illegal, improper, arbitrary, un constitutional and against the principles of natural justice. Consequently direct the 1 to 3 respondents to give posting anywhere in Hyderabad/ Telangana State forthwith.

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents 1 to 3 to give posting anywhere in Hyderabad/Telangana State forthwith pending disposal of above Writ Petition.

Counsel for the Petitioner: SRI MOHD ASHRAF ALI

Counsel for the Respondent No.1 to 3: SRI SHEETAL KUMAR, GP FOR SERVICES-I

Counsel for the Respondent No.4 & 5: SRI A.RAGHURAM, AGP FOR STATE OF AP

The Court made the following: ORDER

THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH

AND

THE HON'BLE SRI JUSTICE G.M. MOHIUDDIN

WRIT PETITION No.24328 of 2025

ORDER:

This writ petition is filed being aggrieved by the action of the respondents in allocating the petitioner to the State of Andhra Pradesh *vide* Movement order dated 28.02.2017 as illegal, improper, arbitrary, unconstitutional and to direct respondent Nos.1 to 3 to give posting in Hyderabad/Telangana State.

2. Heard Sri Mohd. Ashraf Ali, learned counsel for the petitioner, Sri Sheetal Kumar, learned Government Pleader for Services-I appearing for respondent Nos.1 to 3, Sri A.Raghuram, learned Assistant Government Pleader for the State of Andhra Pradesh appearing for respondent Nos.4 and 5 and perused the record.

3. Learned counsel for the petitioner contends that the petitioner was appointed as Civil Assistant Surgeon *vide* service order dated 14.08.2000 and posted at Tribal Public Health Centre, Azamnagar at Warangal District and had opted for Telangana State at the time of reorganization of the erstwhile State of Andhra Pradesh. It is contended that however, the

authorities had allotted/allocated the petitioner to the State of Andhra Pradesh *vide* order dated 28.02.2017.

4. A perusal of the record shows that the petitioner has submitted a representation dated 10.09.2018 to the Home Minister of Telangana to allocate him to Telangana State, being aggrieved by the Movement order dated 28.02.2017.

5. It is further contended that the petitioner submitted another representation dated 05.07.2021 to the Principal Secretary to Government, Finance, and there is no response from the authorities. It is also contended that if he is allocated to the State of Andhra Pradesh, the education of his children will be disturbed and his old aged and sick mother would suffer.

6. It is pertinent to note that the petitioner did not point out any infraction of his legal rights or violation of any statutory provisions and at this juncture, the question of interference by this Court on account of personal difficulty of the petitioner does not arise.

7. Further, a Co-ordinate Bench of this Court while dealing with a similar issue in Writ Petition No.14626 of 2019 has observed as under:

"Another important aspect of the case is that in exercise of executive powers under the Reorganisation Act, 2014 the Guidelines relating to allocation of State Services Employees between the successor States of Andhra Pradesh and Telangana have been framed by the Advisory Committee as per Section 80(2) of the Reorganisation Act 2014. The Advisory Committee consisting of senior officers having wide range of experience in administration felt that 'option' alone does not confer any mandatory right on an employee to be allocated to the State of his/her choice. The Committee suggested the successor States to correlate the local candidature/nativity of the employee with the option for allocation along with seniority of the employee and incorporate the same in the guidelines".

8. This Court in the said Judgment held that personal difficulty cannot be a ground for interfering with the allocation of the petitioner to a particular state in the following terms:

"In the considered opinion of this Court, the petitioner wants the allocation done in the year 2015 to be declared as illegal and a prayer has been made for allocation to the State of Telangana. In the considered opinion of this Court, on account of some personal difficulties of the petitioner, this Court cannot interfere with the order of allocation of the petitioner to the State of Andhra Pradesh and there is no illegality or irregularity committed while allocating the petitioner to the State of Andhra Pradesh".

9. In the present Writ Petition, the petitioner is seeking allotment to the State of Telangana on the grounds of personal difficulty by setting aside the allotment done in the year 2017.

This Court is of the view that on account of some personal difficulties of the petitioner, this Court cannot interfere with the order of allocation of the petitioner to the State of Andhra Pradesh more particularly when there is no illegality or irregularity committed while allocating the petitioner to the State of Andhra Pradesh. The Writ Petition is devoid of merits and is liable to be dismissed.

10. The Writ Petition is accordingly dismissed. No order as to costs.

Consequently, miscellaneous petitions, if any pending, shall stand closed.

SD/-T. SRINIVASA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SRI MOHD ASHRAF ALI, Advocate [OPUC]
2. Two CCs to SRI A.RAGHURAM, AGP FOR STATE OF AP, High Court for the State of Telangana at Hyderabad [OUT]
3. Two CCs to GP FOR SERVICES-I, High Court for the State of Telangana at Hyderabad [OUT]
4. Two CD Copies

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HIGH COURT

DATED: 19/08/2025



ORDER

WP.No.24328 of 2025

DISMISSING THE WRIT PETITION,

WITHOUT COSTS

(8)

9/9/25