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

WEDNESDAY, THE THIRTIETH DAY OF JULY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE THE CHIEF JUSTICE APARESH KUMAR SINGH
AND
THE HONOURABLE SRI JUSTICE P.SAM KOSHY

WRIT PETITION NO: 22276 OF 2025

Between:

K. Sandeep World, S/o K. Prasad, Aged about 37 years, Occ. Dy. Executive Engineer, Municipal Corportation, Mahaboobnagar, R/o. H.No.104, Amisthapur. Mahaboobnagar, Mahaboobnagar District.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Municipal Administration and Urban Development Department, Dr. BR. Ambedkar, Telargana, Secretariat, Hyderabad.
2. The State of Andhra Pradesh, Rep. by its Principal Secretary, Municipal Administration and Urban Development Department, AP. Secretariat, Velagapudi. Guntur District.
3. The State of Telangana, Rep. by its Chief Secretary, General Administration Department, Dr. BR. Ambedkar Telangana Secretariat. Hyderabad.
4. The Engineer-in-Chief, Public Health, Telangana State, AC Guards. Hyderabad.
5. The Engineer-in-Chief, Public Health, Garuda Enclave, Tadepalli, Guntur District.
6. J. Vijay Kumar, Dy. Executive Engineer, Tadepalli Gudem Municlpality, West Godavari District, AP.

...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 an appropriate writ, order or direction more particularly one in the nature of Writ of Certiorari to call for the records relating to and in connection with the impugned G.O.Rt.No.573 MA and UD (C1) Dept., dt. 16/06/2025, issued by the 2nd Respondent, where under, Inter-State transfer orders were issued to

the Petitioner and 6th Respondent on mutual consent basis, without issuing any notice and opportunity to the Petitioner and set aside the impugned orders, by declaring them as illegal, arbitrary, unjust, discriminatory and violative of Articles 14 and 16 of the Constitution of India and also Violation of Principles of Natural Justice and consequently, direct the Respondents to continue the services of the Petitioner in Telangana State as per his Local status and based on his request.

IA NO: 2 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 to continue the Petitioner as Dy. Executive Engineer, in Municipal Corporation, Mahaboobnagar, Telangana State, by suspending the operation of impugned G.O.Rt.No.573 MA and UD (C1) Dept., dt. 16/06/2025, issued by the 2nd Respondent pending disposal of the above writ petition.

Counsel for the Petitioner : SRI POODATTU AMARENDER

Counsel for the Respondents No.1&4:SRI G.PRASANTH, AGP FOR SERVICES I

Counsel for the Respondents No.2&5 :SRI B.RAJESHWAR REDDY, GP FOR AP

Counsel for the Respondents No.3 : Ms.M.SHALINI, GP FOR SERVICES II

Counsel for the Respondents No.6 : --

The Court made the following: ORDER

THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH

AND

THE HON'BLE SRI JUSTICE P.SAM KOSHY

WRIT PETITION No.22276 of 2025

ORDER:

Learned counsel Sri Poodattu Amarender appears for the petitioner.

Sri G.Prasanth, learned Assistant Government Pleader for Services-I, appears for respondent Nos.1 and 4.

Sri B.Rajeshwar Reddy, learned Government Pleader for Andhra Pradesh, appears for respondent Nos.2 and 5.

Ms. M.Shalini, learned Government Pleader for Services-II, appears for respondent No.3.

2. Heard the learned counsel for the parties.

3. In pursuance to the Circular Memo No.1896/SPF-II/2021, dated 09.09.2021, the petitioner, who was working as the Deputy Executive Engineer in the Gadwal Municipality under the Telangana State, accorded his consent for being allocated Andhra Pradesh cadre on mutual grounds. By the impugned notification dated

16.06.2025, the petitioner has been allocated to the Andhra Pradesh cadre and one J.Vijaya Kumar, Deputy Executive Engineer, Tadepalligudem Municipality, West Godavari District, Andhra Pradesh, has been allocated to the State of Telangana. As per the impugned notification, Engineer-in-Chief (PH), Andhra Pradesh, Tadepalli, Guntur District, has been directed to relieve respondent No.6, who is working in Andhra Pradesh, immediately. The petitioner now does not want to go to Andhra Pradesh. He has taken a plea that the consent for mutual transfer was made way back in the year 2021. Both the Governments sat over the matter for four years. Now, the circumstances have changed and he is not inclined to be reallocated to the State of Andhra Pradesh. He claims to be a local candidate of Telangana State as per the Presidential Order since he has studied from 4th to 7th classes in Gurukul High School, Jawahar Nagar, Hyderabad, and 8th to 10th classes in Sri Lakshmi High School, Kurnool District. On account of this reason only, he was allocated to the Telangana State and as per his option, he has been working here.

4. The circular dated 07.08.2017 lays down the guidelines for inter-State transfer of Government employees between the State of Andhra Pradesh and the State of Telangana. These guidelines have been framed as per the proviso to sub-section (2) of Section 77 of the Andhra Pradesh Reorganisation Act, 2014 (hereinafter referred to as, "the Reorganisation Act"). The petitioner, after his allocation to the State of Telangana, gave his willingness to go back to Andhra Pradesh on permanent basis pursuant to the circular dated 09.09.2021 vide his representation dated 14.09.2021 through proper channel. No objection was also furnished by respondent No.1 to respondent No.2 requesting to examine and intimate the decision of Government of Andhra Pradesh. Thereafter, inter-governmental correspondences took place. The Telangana Government gave no objection for mutual transfer on 16.04.2025. Thereafter, the impugned notification dated 16.06.2025 was issued by the Government of Andhra Pradesh approving the inter-State mutual transfer between the petitioner and respondent No.6 on permanent basis. The petitioner made a

representation on 14.07.2025 to withdraw his consent to be transferred to Andhra Pradesh and to be retained in Telangana.

5. Learned counsel for the petitioner has submitted that after four years of the petitioner's consent, the mutual transfer has been finalised without issuing any fresh notice or seeking his present consent which violates the principle of *audi alteram partem*. The petitioner has also taken a plea that the Telangana Public Employment (Organisation of Local Cadres and Regulation of Direct Recruitment) Order, 2018, does not permit inter-State transfers. Learned counsel for the petitioner submits that the impugned notification is therefore arbitrary and discriminatory. It adversely affects his service status. Such permanent change of cadre and forfeiture of seniority without according any opportunity of being heard shall cause irreparable harm to the petitioner.

6. Learned counsel appearing for the State of Telangana and the State of Andhra Pradesh have vehemently opposed the prayer. They submit that on the consent of the

petitioner and willingness of respondent No.6 to be reallocated on mutual basis, the impugned notification has been issued in terms of the circular dated 09.09.2021 and as per the guidelines framed under the Reorganisation Act. The consent cannot be withdrawn after the issuance of the cadre allocation notification. Learned counsel representing the State of Telangana have referred to the impugned notification wherein it is clearly indicated that respondent No.6 shall be immediately relieved. The circular dated 09.09.2021 also prescribes that once the employee is relieved, the transfer shall be permanent and the employee shall not be taken back under any circumstances.

7. Learned counsel for the petitioner has not been able to specifically inform whether the petitioner has also been relieved with immediate effect.

8. Be that as it may, the impugned notification having been issued on the basis of mutual consent of the petitioner and respondent No.6 in accordance with the circular dated 09.09.2021 and the provisions of the Reorganisation Act, such a turnaround or volte-face cannot

be permitted to be made. Learned counsel for the petitioner has not been able to show any provision under the Reorganisation Act or the circulars or the guidelines framed for inter-State transfer whereunder the petitioner can be retained by the State of Telangana after issuance of the impugned notification. In such circumstances, we do not see any reason to interfere in the matter.

9. The writ petition is accordingly dismissed. However, there shall be no order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

SD/-M. OSMAN ALI BAIG
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Municipal Administration and Urban Development Department, Dr. BR. Ambedkar, Telargana, Secretariat,State of Telangana, Hyderabad.
2. The Principal Secretary, Municipal Administration and Urban Development Department, State of Andhra Pradesh, AP. Secretariat, Velagapudi. Guntur District.
3. The Chief Secretary, General Administration Department, Dr. BR. Ambedkar Telangana Secretariat.State of Telangana, Hyderabad.
4. The Engineer-in-Chief, Public Health, Telangana State, AC Guards. Hyderabad.
5. The Engineer-in-Chief, Public Health, Garuda Enclave, Tadepalli, Guntur District.

6. The Dy. Executive Engineer, J. Vijay Kumar, Tadepalli Gudem Municlpality, West Godavari District, AP.
7. One CC to SRI POODATTU AMARENDER, Advocate. [OPUC]
8. Two CCs to GP FOR SERVICES I, High Court for the State of Telangana. [OUT]
9. Two CCs to GP FOR ANDHRA PRADESH, High Court for the State of Telangana. [OUT]
10. Two CCs to GP FOR SERVICES II, High Court for the State of Telangana. [OUT]
11. Two CD Copies.

BSK

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HIGH COURT

DATED:30/07/2025



ORDER

WP.No.22276 of 2025

DISMISSING THE WRIT PETITION
WITHOUT COSTS

16
ASV
15/10/25