

IN THE HIGH COURT OF JUDICATURE, ANDHRA
PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

FRIDAY, THE FIFTH DAY OF DECEMBER
TWO THOUSAND AND EIGHT

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PRESENT
THE HON'BLE MR JUSTICE N.V. RAMANA
WRIT PETITION NO : 23194 of 2008

Between:

- 1 Kalluri Ramesh, E.321501 Conductor of Karimnagar-I Depot,
S/o. Kanakaiah, R/o. H.No.9-7-154, Ramnagar, Karimnagar,
Karimnagar District.
- 2 Chityala Manohar Reddy, E.320846, Driver of Karimnagar-I
Depot, S/o. Ramreddy, R/o. Indurthy Post, Chigurmamidi
Mandal, Karimnagar District.
- 3 Mubeen Ahemd, E.321505, Conductor of Karimnagar-II
Depot,
S/o. Late Ali Ahmed, R/o. H.No.61/1. R.T.C. Colony,
Thegulgutapally, Karimnagar, Karimnagar District.
- 4 Alla Pavan Kumar, E.321031, Driver of Vemulawada Depot,
S/o. Ramchander, R/o. H.No.9-4-230, Sreenagar Colony,
Karimnagar, Karimnagar District.
- 5 Mula Ravinder Reddy, E.320837 Driver of Vemulawada
Depot,
S/o. Ram Reddy, R/o. Theegulgutta pally, Karimnagar,
Karimnagar District.
- 6 Kukkala Sreenivas Reddy, E.320768 Driver of Vemulawada
Depot, S/o. Lachireddy, R/o. Shanigaram post, Koheda
Mandal,
Karimnagar District.
- 7 Kuthadi Lachiah, E/320972, Driver of Vemulawada Depot,
S/o. Yellaiah, R/o. Maralapet, Boinpally Mandal, Karimnagar
District.
- 8 Kudala narayana, E/106732, Driver of Vemulawada Depot,
S/o. Sri Narsaiah, R/o. 6-5-478, Maruthinagar, Karimnagar,
Karimnagar District.
- 9 Bukya Bansilal, E.318831, Contract Driver of Metpally Depot,
S/o. Sri Bukya Vasram, R/o. Advipadira Post, Yellareddipet
Mandal, Karimnagar District.
- 10 Vanga yellaiah, C.No.29042, Contract Driver of Metpally
Depot,
S/o. Sri Bakkaiah, R/o. Khadergudem, Manakondur Mandal,

Karimnagar District.

..... PETITIONERS

AND

- 1 The APSRTC Rep by its Vice Chairman & Managing Director,
Musheerabad, Hyderabad-20
- 2 The Regional Manager, APSRTC., Karimnagar Region,
Karimnagar District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will 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 orally transferring the petitioners from Karimnagar Region to Hyderabad City Region and closing the musters in Karimnagar Region as illegal, arbitrary and contrary to the law, consequently direct the 2nd respondent to permit the petitioners to perform their duties in their respective depots of Karimnagar Region, and pass

Counsel for the Petitioners: MR.S.A.K.MYNUDDIN

Counsel for Respondents: SMT.P.RAJANI REDDY

The Court made the following :

ORDER:

This writ petition is filed by the petitioners to declare the action of the respondents in orally transferring them from Karimnagar Region to Hyderabad City Region and closing their musters in Karimnagar Region as illegal, arbitrary and consequently to direct the Regional Manager, APSRTC, Karimnagar-the second respondent to permit the petitioners to perform their duties in their respective depots of Karimnagar Region.

Heard learned counsel for the petitioner and the learned Standing Counsel for the respondents and at their request, the main writ petition is taken up for final disposal.

The petitioners, who are 10 in number, are working as conductors and drivers in Karimnagar Region. According to them they are selected to the respective posts through the Selection Committee of Karimnagar Region and their seniority is being maintained by the Karimnagar Region only. While so, the second respondent without any notice or intimation, closed

their musters and transferred them to Hyderabad City Region contrary to Regulation 18 (a) of the A.P.S.R.T.C. Service Regulations. The main grievance of the petitioners is that if they were transferred to Hyderabad City Region, it affects their seniority.

On 23.10.2008, this Court while admitting the writ petition granted interim direction. Subsequently, the respondents filed vacate stay petition *inter alia* stating that in Hyderabad City, there is shortage of 482 drivers for operating the buses and therefore, a large number of trips are being cancelled on regular basis due to which general public is put to great inconvenience and regular commuters are also facing hardship due to overloading of buses. In order to provide adequate transport to public, the present decision has been taken by the authorities to depute personnel from every region to work in Hyderabad City region and in that process only the petitioners were deputed to work at Hyderabad for a limited period. It is also stated that such a deputation will not affect the seniority of the petitioners. It is also made clear that the deputed crew are entitled to extra facilities like rest room, boarding and lodging allowance, attendant allowance, house rent allowance, etc., during the period of their deputation.

In view of the above counter averments that the petitioners were deputed only to meet the acute shortage of staff in Hyderabad and that too for a limited period and that it will not affect their seniority, I see no reason to interfere with the action taken by the respondents in deputing the personnel from different regions to work in Hyderabad City region temporarily. The writ petition is devoid of merit and the same is accordingly dismissed.

Consequently, the interim order granted by this Court

earlier, stands dismissed.

5th December, 2008
Js/Msv

(N.V.RAMANA, J.)