

IN THE HIGH COURT OF KARNATAKA AT BANGALORE.

DATED: THIS THE 21ST DAY OF NOVEMBER 2007.

: BEFORE :

THE HON'BLE MR.JUSTICE N.K. PATIL

WRIT PETITION NO.18022 OF 2007 (S-RES)

BETWEEN:

SMT.VINUTHA, N.T.,
W/O D.T.NINGARAJU,
A/A 30 YEARS,
R/AT GOWRIKOPPA,
OPP. VINAYAKA SAMUDAYA BHAVAN,
HASSAN DISTRICT - 573 201.

... PETITIONER.

(By Mr.ANIL BABU C. & ASSOCIATES, ADVOCATES.)

AND:

1. J.GOWDA COMPUTERS,
YUVA DOT COM.,
K.E.B. ROAD,
OPP. JYOTHI ENGLISH CONVENT,
ARAKALGODU,
HASSAN DIST.-573 201.
2. THE MANAGING DIRECTOR,
M/S.KEONICS, NO.29/1,
RACE COURSE ROAD,
BANGALORE - 560 001.
3. THE PRINCIPAL,
GOVERNMENT GIRLS P&E UNIVERSITY
COLLEGE (DIVISION),
R.C. ROAD,
HASSAN - 573 201.

4. THE BLOCK EDUCATION OFFICER,
HASSAN TALUK,
HASSAN - 573 201.

5. SMT. MAHESHWARI M.S.,
W/O SOMASHEKAR M.S.,
A/A 30 YEARS,
ANTARIKSHA NAGAR,
SALAGAME ROAD,
HASSAN - 573 201.

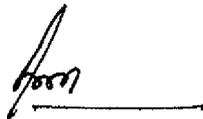
... RESPONDENTS.

This Writ Petition is filed under Articles 226 and 227 of the Constitution of India, praying to quash the impugned Order No.AQ/Varga/2007-08 dated 14.11.2007 wide Annexure-B; to direct the respondents to consider the representation of the petitioner wide Annexures - C, D and E and to recall their order dated 14.11.2007 and to continue the petitioner in the same college, etc.

This Writ Petition coming on for preliminary hearing this day, the Court made the following:

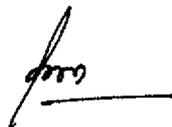
ORDER.

The petitioner assailing the correctness of the Memorandum dated 14.11.2007 wide Annexure - B issued by the third respondent, further seeking a direction to the respondents to consider the representation of the petitioner wide Annexures - C, D and E and to recall their Order dated



14.11.2007 and to continue the petitioner in the same College, has presented the instant Writ Petition.

2. The grievance made out by the petitioner in the instant writ Petition is that, on 08.08.2007 she had been appointed by the first respondent as a Computer faculty and posted to work in the third respondent-College on a consolidated salary per month. Petitioner was shocked to know that on 02.11.2007 first respondent appointed fifth respondent in the place of the petitioner without bringing the same to her notice and by another Memorandum dated 14.11.2007, the first respondent transferred and directed her to join Yalleshpura Government High School, Yalleshpura, Holenarsipura Taluk, Hassan District, which is 30 Kms., away from her place. Immediately, petitioner made representations on 14.11.2007 to respondents 1, 2, and 4, which are at Annexures C, D and E. The petitioner is an expert in the subject, and she has some practical difficulties to go to Yalleshpur, Holenarsipura Taluk. The respondents have neither



considered her representation nor taken any decision. Hence, she was constrained to file the instant Writ Petition.

3. I have heard the learned Counsel for the petitioner.

4. After perusal of the Memorandum dated 14.11.2007, it is clear that the petitioner has been transferred to work in Yelleshpura, Holenarsipura Taluk, Hassan District, and the fifth respondent has been appointed in the place of petitioner in the third respondent College. It is significant to note that when the petitioner was appointed on temporary basis on consolidated salary dated 08.08.2007, subject to the condition that she is required to serve anywhere in the District, and such condition being accepted by the petitioner while joining to the duty, now it is not open for her to contest the said transfer Order. The petitioner cannot claim as a matter of right to continue in the earlier place of work. I do not find any good ground made out by the



petitioner for interference by this Court in the impugned order.

5. Hence, Writ Petition is dismissed being devoid of merits.

**Sd/-
Judge**

*KBN/22.11.2007.