

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

ORIGINAL APPLICATION NO.170/01042/2019

DATED THIS THE DAY 12TH OF FEBRUARY, 2020

HON'BLE DR.K.B.SURESH, MEMBER (J)

HON'BLE SHRI C V SANKAR, MEMBER (A)

Dr. A.N. Prakash Gowda, IPS,
S/o Late Ninge gowda,
Aged about 42 years,
Posted as Deputy Commissioner of Police,
Law & Order, Mysuru City,
Mysuru,
Residing at No. 9, E & F Block,
1st Main, Ramakrishnanagar,
Mysuru

.....Applicant

(By Advocate Shri P.A. Kulkarni)

Vs.

1. The Union of India
Represented by its Secretary,
Ministry of Home Affairs,
New Delhi 110 001

2. The State of Karnataka
By its Principal Secretary,
Department of Personnel
And Administrative Reforms,
VidhanaSoudha,
Bengaluru – 560 001

3. The Director General and
Inspector General of Police,
Nrupathunga Road,
Bengaluru 560 001

4. Sri Mutturaju M,
Superintendent of Police,
(Non IPS), now posted as
Deputy Commissioner of Police,
Law & Order,
Mysuru City, Mysuru 575 001

....Respondents

(By Shri R.B. Sathyanarayana Singh, Counsel for Respondent No. 2 to 3 and
Smt Leela P. Devadiga, Counsel for Respondent No.4)

ORDER
(HON'BLE DR. K.B. SURESH, MEMBER (J))

We had taken up the matter first on 26.09.2019 and passed the following order:

*"Sl. No.5
KBS(MJ)/CVS(MA)
26.09.2019*

Issue notice by dasti to the respondents. Applicant to serve an additional notice on the learned and respected Advocate General of Karnataka and Shri Sathyanarayana Singh, learned and respected government advocate of Karnataka. In the meanwhile, let the respondents file a short reply. Post on 10.10.2019. Shri Vishwanath Bhat, learned counsel for the applicant, seeks an accommodation and wants it to be posted on 14th but Shri Sathyanarayana Singh, learned counsel for the State Government, seeks a posting on 17th. Allowed. Post on 17.10.2019."

Other than notices to the parties, an additional notice was ordered to be served on the learned Advocate General of Karnataka and the learned Government Advocate of Karnataka Shri Sathyanarayana Singh. Since we had not granted an interim order, respondents were directed to file a short reply.

2. Thereafter the matter was taken up on 17.10.2019 and then on 26.12.2019 and, on that date, we passed the following order:

"Sl. No.3
KBS(MJ)
 26.12.2019

We had taken up the matter today. On 01.11.2019 as Diary No. 4815 a memo dated 16.10.2019 showing the postal receipt issued to the 4th respondent in the address "Mutturaju M, Superintendent of Police, Pin 570 001, Mysuru H.O." is filed. The address given in the OA is that "Now posted as Deputy Commissioner of Police, Mysuru." We are not very sure whether the notice was served properly. Therefore, let there be an emergent notice issued to the 4th respondent also in the correct address and let it be ensured that it is served on him. To ensure it, emergent notice by dasti is ordered by the applicant directly. The office also will serve an additional copy on the 4th respondent. Post for further hearing on 10.01.2020."

Since we were not sure whether notices were served on the 4th respondent, we had directed one more emergent notice to be issued to the party respondent in the correct address.

3. Thereafter the matter was taken up on 16.01.2020 and we have passed the following order:

"KBS(MJ)/CVS(MA)
 16.01.2020

The petitioner in the Writ Petition is not present nor his counsel. An allegation was made that in fact the notice from the Tribunal was not served on Shri Muthuraju. We will invite Shri Muthuraju to file an affidavit to this effect. We had expected him to be present in compliance with the Hon'ble High Court's order. He is not present today. We will direct Shri Sathyanarayana Singh, learned counsel for the State Government, to get information from the concerned senior officials as to whether notice has been actually served on Shri Muthuraju or not. We will take up the matter tomorrow. Post on 17.01.2020."

4. Later on the party respondent filed an affidavit explaining that he had not actually received any notice from the Tribunal. But in compliance with our earlier order, the applicant had filed an MA. On this the 4th respondent

had not made any stand clear as to whether he had received a notice on the MA at least at that point of time. Therefore, we had allowed the applicant also to file an affidavit and he filed an affidavit explaining that by speed post the notice was actually served on the 4th respondent. He would say in paragraph 8 of his affidavit that notice meant for Respondent No. 4 Shri Muthuraju went to the Mysuru District Superintendent of Police office and in turn Mysuru District SP Office forwarded the same to the Police Commissioner's Office, Mysuru. He would say that in the Commissioner's office a systematic manipulation had taken place so as to take a technical stand that the Respondent No.4 did not in fact receive the notice in OA and he says that since the Respondent No. 4 was himself acting as Deputy Commissioner, Law and Order in the said office apparently the officials in the Mysore Police Commissioner's office stipulate that they have not in fact handed over the notice to Shri Muthuraju but had in fact informed him about it. Thus, he says that a manipulation was made. Applicant would further say in paragraph 10 of his counter-affidavit that on 13.12.2019 when the Writ Petition came to be filed in the Hon'ble High Court, a copy of the OA in question was made part of the pleadings in the Writ Petition. **Therefore, he raises a question as to how he could obtain a copy of the OA if he has not known anything about the OA?**

Whereas the DCRB, Mysore in the office of the Superintendent of Police, Mysore District issued the following letter dated 02.11.2019 with a copy to the advocate for the applicant as well:

*"No. DCRB/My/Mis(3)/249/2019 Office of the Superintendent of Police
Mysore District, Mysore
Date: 02.11.2019*

*To
Hon'ble Commissioner of Police
Mysore City
Mysore.*

Sir,

*Subject: Transferring of the letters received regarding the
application of Dr. A.N. Prakash Gowda, I.P.S.
based on the jurisdiction – reg.*

*With reference to the above subject, it is hereby submitted that,
as per O.A. No. 1042/2019 of Hon'ble The Central Administrative
Tribunal at Bangaluru, received the summary of the application
submitted by the Advocate for Dr. A.N. Prakash Gowda and copy of
the orders through post, on verification of the application, the address
of Respondent 4 is coming to the Mysore City Jurisdiction, hence, the
original copy of the said application is enclosed herewith and
submitted to your office for further action.*

*Yours faithfully,
Sd/-
For Superintendent of Police
Mysore District*

*Copy to:
Sri Subbarao, Advocate, #27, Chabndrashekhar Complex, 1st Stage,
1st Main Road, Gandhinagara, Bangalore 560009 for information."*

5. Thus, it appears that the story put up by the 4th Respondent that he had not known about the OA does not seem to be very correct. But then we had decided that we will ignore this aspect for the time being and hear the matter on merits and therefore the senior counsel Shri Ponnanna was allowed to address the Court on the merits of the matter. We had queried him as to whether a non-cadre officer can be appointed to a cadre post and at what juncture. It was generally agreed that a non-cadre officer can be posted only when cadre officers are not available and that too for a limited

period of 3 months and after that if it is to be continued specific permission of the Union Government in the MHA has to be obtained. But Shri Ponnanna would say that in the past this rule, even though present, had been ignored by the Government and therefore one more violation of the rule will not make matters any worse. He had nothing more to argue on the points raised by the applicant. In fact, since the 4th Respondent had not filed any reply at that point of time, we had heard the State Government on the matter and it filed a detailed reply indicating that even though applicant had been posted as Deputy Commissioner of Police, Law and Order, Mysuru City it had been cancelled. They agree that the said post is a cadre post which is to be filled up by an IPS officer and that one Shri Muthuraju, a non-IPS officer, had been appointed as Deputy Commissioner of Police by cancelling the order posting the applicant as the Deputy Commissioner. They would say that transfer is an incident of service and the Hon'ble Chief Minister being the head of the state is competent to effect transfers and posting for the sake of administrative convenience as also in public interest. They would say that assessment of quality of an employee is made by taking into account several factors including the suitability of the person for a particular post and the exigency of the administration.

6. Therefore, we had asked the learned counsel for the State Government to explain the variations in quality of both these officers and no reply was forthcoming. At this point of time, the learned counsel for the applicant Shri P.A. Kulkarni assails Annexure-R1 which is the letter to the Commissioner of Police by Assistant Administrative Officer in the office

of Commissioner of Police, Mysore City Shri Umamaheshwara, Shri Romeo, Section Superintendent, EST section, office of the Commissioner of Police, Mysore City and Shri K.M. Dinesh Kumar, First Division Assistant, EST section, office of the Commissioner of Police, Mysore city. **Shri Kulkarni points out that if these people's case is that Shri Muthuraju came to know about the case only on 21.12.2019 how was he able to file a Writ Petition on 13.12.2019?** Anyhow, the State Government submits that they are taking disciplinary action against these people for manipulating the Court process. Let it be continued to the logical end. In the meanwhile, the 4th Respondent had filed a reply. He would take the following objections:

- 1) Transfer is an incident of government service and the State Government is empowered to transfer.
- 2) The applicant had not challenged his transfer from Superintendent of Police of Hassan District even though it was in violation of the mandate under Section 20 F of the Karnataka Police Act.
- 3) The Tribunal should not interfere in the functioning of the State Government and its power and jurisdiction.
- 4) It is not important whether this respondent is qualified or not to hold the post.
- 5) Disqualification or qualification or entitlement of this respondent to occupy and continue in the said post is to be decided by the State and the Courts should not interfere in such matters.
- 6) Even though he is not an IPS officer he is still entitled to hold the post of Deputy Commissioner of Police as several other non-IPS officers also had held this post.

He would say that, even though the Deputy Commissioner post is a cadre post, if there is no suitable cadre officer available for filling this vacancy then a non-cadre officer can be posted (Therefore we had asked for a comparison of suitability of the applicant vis-a-vis the 4th Respondent but no answer was forthcoming on this aspect from the learned senior counsel for the 4th Respondent). He would say that even if he is not qualified to hold the post of Deputy Commissioner, it cannot be challenged as it is within the State's exclusive power to post whomsoever they want to any particular post. He would say that this exercise of power by the State Government is well within its competence and it will override any central rules relating to cadre posts or posting of an IPS officer as police is purely a state subject. In the earlier instance, we had passed the following order, which we quote:

“Applicant is a police officer. He submits that he was appointed as a Deputy Superintendent of Police in 2006 and after several tenures at various places finally he came to be posted as Deputy Commissioner of Police, Law and Order, Mysuru. By this time he had become an officer in the Indian Police Service. Thereafter vide impugned order dated 04.09.2019 an order was made to the effect that the Notification No. DPAR 27 SPS 2019 (p) dated 28.08.2019 posting the applicant as Deputy Commissioner of Police, Law and Order, Mysuru City was cancelled. In other words, within six days of such posting order being issued, it was cancelled to accommodate the party respondent, alleges the applicant.

2. *The government submits that the transfer is an incident of service and it was made only to meet administrative exigencies and in greater public interest. They would say that it was a bonafide decision made on the basis of assessment of work and the suitability of the person for a particular post at a particular level. They would quote from the decision of the Hon'ble Supreme Court reported in the case of State of Uttar Pradesh Vs. Gobardhan Lal reported in 2004 (11) SCC 402 which we quote:*

“A government servant has no vested right to remain posted at a place of his choice nor can he insist that he must be posted at one place or the other. He is liable to be transferred in the

administrative exigencies from one place to the other. Transfer of an employee is not only an incident inherent in the terms of appointment but also implicit as an essential condition of service in the absence of any specific indication to the contrary. No Government can function if the government servant insists that once appointed or posted in a particular place or position, he should continue in such place or position as long as he desires.”

It was further held that:

“Unless the order of transfer is shown to be an outcome of a mala fide exercise of power or violative of any statutory provision (an Act or rule) or passed by an authority not competent to do so, an order of transfer cannot lightly be interfered with as a matter of course or routine for any or every type of grievance sought to be made. Even administrative guidelines for regulating transfers or containing transfer policies at best may afford an opportunity to the officer or servant concerned to approach their higher authorities for redress but cannot have the consequence of depriving or denying the competent authority to transfer a particular officer/servant to any place in public interest and as is found necessitated by exigencies of service as long as the official status is not affected adversely and there is no infringement of any career prospects such as seniority, scale of pay and secured emoluments. This Court has often reiterated that the order of transfer made even in transgression of administrative guidelines cannot also be interfered with, as they do not confer any legally enforceable rights, unless, as noticed supra, shown to be vitiated by mala fides or is made in violation of any statutory provision.”

3. The government would say that sometimes a non-cadre officer could be posted to a cadre post for administrative exigency and in the interest of public. They would say that applicant will be given a suitable posting and till then he will be in waiting for a suitable posting and during this time all privileges and facilities provided to such officers will not be affected. The matter seems to be covered by the decisions of the Hon'ble Apex Court which we quote:

***In State of Madhya Pradesh and Another vs. S.S. Kaurav and Others*, 1995 (1) S.C. Services Law Judgements 350, Hon'ble Supreme Court held :**

“The court or Tribunals are not appellate forums to decide on transfer of officers on administrative grounds. The wheels of administration should be allowed to run smoothly and the courts or Tribunals are not expected to interdict the working of the administration system by transferring the officers to proper

places. It is for the administration to take appropriate decision and such decision shall stand unless they are vitiated either by malafides or by extraneous consideration without factual background. foundation.”

*The Hon’ble Apex Court in the case of **National Hydroelectric Power Corporation Ltd. vs. ShriBhagwan and Shiv Prakash**, 2001 (2) S.C Services Law Judgements 396, held :*

“No Government servant or employee of Public Undertaking has any right to be posted forever at any one particular place. Transfer of an employee appointed against a transferrable post is not only an incident of an order of transfer unless such an order is shown to be an outcome of malafide exercise of power or stated to be in violation of statutory provisions prohibiting any such transfer. In fact High Court was not right in quashing the transfer order on the ground that it is against the seniority rules.”

*In **ShriN.K. Singh vs. Union of India**, (1994) 6 SCC 98, the Hon’ble Apex Court stated that :*

“6. The scope of judicial review in matters of transfer of a government servant to an equivalent post without any adverse consequence on the service or career prospects is very limited being confined only to the grounds of malafides and violation of any specific provision...”

*In **Government of Andhra Pradesh vs. G. VenkataRatnam**, (2008) 2 SCC (L&S) 900, Hon’ble Apex Court held:*

“The Hon’ble High Court was guided by its own notion of what would be in the Department’s overall interest, and where respondent would be more suited. This was not accepted by the Hon’ble Supreme Court. It held that respondents could not be allowed to choose his own place of posting. The Hon’ble Supreme Court allowing the appeal held that “the High Court judgment is wholly untenable and rather unusual and strange. The judgment was apparently delivered in anger which might have been caused by the Government Pleader or the Director (the second respondent before the High Court). The Court not only lost judicial poise and restraint but also arrived at completely unfounded conclusions. The High court seems to have been completely taken in by ipse dixit of the respondent and his tall claims about his own ability, and virtually allowed him to choose his own place of posting. It is surprising that High Court castigated the respondent’s transfer as lacking bona fides on flimsy and fanciful pleas. The High Court’s finding is

unfounded and untenable. The legal position regarding interference by court in the matter of transfer is too well established. The respondent's transfer neither suffers from violation of any statutory rules nor can it be described as mala fide".

4. *But then the State Government would contend that sometimes a non-cadre officer could be posted to a cadre post in administrative exigency and public interest. But then when we asked the learned counsel to elucidate on this point and what is the public interest involved in bringing ShriMuthuraj and throwing out ShriPrakashGowda who is already in place,no specific answer could be elucidated. The question is not who passes the order but how and why he passed the order. There must be justification implicit in the order itself or as the Hon'ble Apex Court held in Bommai's case at least the notes and files would have this. Therefore we tried to elucidate this informationfrom the learned counsel but the efforts were in vain as apparently no such supportive matter could be found.*

5. *Inthe rejoinder it is the case of the applicant that the post of Deputy Commissioner of Police, Law and Order, Mysuru City has been treated as cadre post under the regulations of Indian Police Service (Fixation of Cadre Strength) (III Amendment) Regulation, 2015. As per the Indian Police Service (Cadre) Rules 1954, a cadre post in a state shall not be filled by a person who is not a cadre officer.Regulation 9 of the Indian Police Service (Cadre) Rules 1954 states as under:*

"9. Temporary appointment of non-cadre officer to cadre posts - 9(1) A cadre post in a State shall not be filled by a person who is not a cadre officer except in the following case; namely:-

(a) if there is no suitable cadre officer available for filling the vacancy:

Provided that when a suitable cadre officer becomes available, the person who is not a cadre officer, shall be replaced by the cadre officer;

Provided further that if it is proposed to continue the person who is not a cadre officer beyond a period of three months, the State Government shall obtain the prior approval of the Central Government for such continuance;"

6. *By a reading of Rule 9 of the Indian Police Service (Cadre) Rules 1954, a Cadre Post shall be filled only by posting a Cadre Officer. However, exception has been provided under the Rules*

stating that if no suitable Cadre Officer is not available, the said post can be temporarily filled for a period of 3 months from a non cadre officer. Admittedly, in the instant case, the 4th Respondent is non cadre officer i.e. Non IPS. The Applicant is a cadre officer. He belongs to IPS cadre. When the Cadre Officer is very much available and he is already in situ, the said post is required to be manned by only a Cadre Officer. Accordingly, the Applicant being in the Cadre as per the Indian Police Service (Cadre) Rules as well as Indian Police Service (Fixation of Cadre Strength) Regulations 1954. As per the provision to Rule 9, a non cadre officer cannot be continued for more than 3 months. Non cadre officer can be posted to a cadre post only in the circumstances as stated in Rule 9. Such circumstances are not raised in the present case because the cadre officer is very much available and posted to that place. The 2nd Respondent taking into consideration the provisions of Rule 9 of the Indian Police Service (Cadre) Rules 1954 and also as per the Indian Police Service (Fixation of Cadre Strength) Regulations 1954, rightly posted the applicant as Deputy Commissioner, Law and Order, Mysuru City as per the Notification dated 28.08.2019. Surprisingly, the said order came to be cancelled without any justifiable reasons by the impugned order dated 04.09.2019.

7. The matter seems to be covered by a decision of the Hon'ble Apex Court in **Rattan Lal Sharma v. Managing Committee Dr Hari Ram (Co-Education) Higher Secondary School** reported in (1993) 4 SCC Page 10 wherein the Hon'ble Apex Court held that the test is real likelihood of bias even if such bias was, in fact, the direct cause. The Hon'ble Apex Court had followed this in several other cases as well and therefore since an order was passed posting the applicant vide Annexure-A6 there cannot be any reason for passing of Annexure-A8 which has elements of penalty embedded in it for the simple reason that it is passed without application of mind as is evident from the order itself and the reply filed and the elucidation thereto. Therefore the very likelihood of bias, as stipulated by the Hon'ble Apex Court, exists very much in it. Besides, under the operation of law, no non cadre officer can be appointed to a cadre post except when a cadre official is not available. Therefore, Annexure-A8 is illegal, arbitrary and against the law of the land. It is hereby quashed.

8. A direction is issued that applicant will continue at Mysore as Deputy Commissioner of Police, Law and Order till the regulatory period of incumbency is completed by him. All the other orders issued in connection with it posting Shri Muthuraj in his place is hereby quashed. It is hereby declared that Shri Muthuraj has no right or eligibility to displace the applicant. It will be taken that applicant is continuing in the said post from 28.08.2019 itself and will be eligible to all the benefits.

9. *The OA is allowed as stated above. No order as to costs.*”

7. On the ground of non-opportunity, this was challenged by the 4th Respondent and even though after looking through documentation furnished by the Commissioner of Police, Mysore we are convinced that some sort of manipulation had taken place, if not at the behest of the 4th Respondent, at least to benefit him, as is clear from a mere reading of Annexure-R1. We had decided to ignore all these points and leave this manipulation to the State Government to be probed in the inquiry which it had already ordered and to take appropriate action against all the participants in the drama.

8. In **Union of India Vs. Mohan Lal Capoor & Others** reported in **1974 AIR 87**, the Hon'ble Apex Court held in Page 19, 20 & 23 as under:

“Merit is certainly an elusive factor capable of being judged very differently from different angles, or, by applications of varying tests of it by different persons, or, by the same persons, at different times. It was submitted on behalf of the respondents that to make supposed merit the sole test for selection would be to leave the door wide open for nepotism to creep into selections for higher rungs of public service by promotion and that this would undermine the morale of members of the State services and weaken incentives for honest work and achievement of better standards of proficiency by them.

The following passage, from Leonard D. White's "Introduction to Public Administration" (4th edn. pages 380, 383), cited with approval by this Court in Sant Ram Sharma's case (Supra), was quoted by the Division Bench (at page 122):

"The principal object of a promotion system is to secure the best possible incumbents for the higher positions, while maintaining the morale of the whole Organisation. The main interest to be served is the public interest, not the personal interest of members of the official group concerned. The public interest is best secured when reasonable opportunities for promotion exist for all qualified employees, when really superior civil servants are enabled to move as rapidly up the promotion ladder as their merits deserve and as vacancies occur, and when selection for promotion is made on the sole basis of merit,

for the merit system ought to apply as specifically in making promotions as in original recruitment.

Employees often prefer the rule of seniority, by which the, eligible longest in service is automatically awarded the promotion. Within limits, seniority is entitled to consideration as one criterion of selection. It tends to eliminate favouritism or the suspicion thereof;"

".....It is true that, where merit, which is difficult to judge, is laid down as the sole test for promotion, the powers of selection become wider, and, they can be abused with less difficulty. But, the machinery provided for preparation of select lists for promotion to All India Services, so as to ensure impartiality, cannot be assumed to so operate as to produce unjust results. The wider the powers entrusted to an administrative authority, the more should be the consciousness of responsibility on its part for their due discharge fairly and impartially. The presumption is that the authority concerned will discharge its obligations with full realization of its implications and honestly. We have, however, to determine here whether the, Selection Committee and the Union Public Service Commission performed their functions on a correct interpretation of the relevant regulations and not whether they acted honestly about which we entertain no doubt whatsoever."

".....The Division Bench also held that, after arranging names in the order of seniority in the State service, as required by Regulation 5(3), the place of an officer on the list could not be disturbed suddenly by placing him below new entrants or new candidates of a succeeding year or throwing him out of the list altogether unless the process of review and revision of the, list for a subsequent year revealed that he deserved such treatment either due to deterioration of his work or the sudden influx of a number of officers of exceptional merit who may have become eligible for the year in which he is expelled from the list. In other words, a sudden fall in the assessment of an officer's merit, without any reasonable and probable, and, therefore, acceptable explanation for such an assessment, so that new candidates, who were not even selected in previous years, supersede him in a new list and become his seniors, is not contemplated by the rules. The view of the Division Bench seemed to be, that a candidate so treated would be virtually punished. If this was correct, he would deserve to be given an opportunity to defend himself against whatever was operating against him. But, as already observed, the Division Bench held that the process itself was really administrative. On the view taken by the Division Bench fresh selection would be confined annually to the needs of new vacancies created. Otherwise,, the list prepared in a particular year would hold good until reviewed or revised."

".....A place on the approved select list certainly confers a right to be appointed, according to Rules 8 and 9, to cadre posts."

".....We next turn to the provisions of Regulation 5(5) imposing a

mandatory duty upon the Selection Committee to record "its reasons for the proposed supersession". We find considerable force in the submission made on behalf of the respondents that the "rubber-stamp" reason given mechanically for the supersession of each officer does not amount to "reasons for the proposed supersession."

9. Therefore, according to the Hon'ble Apex Court, if a senior officer is to be superseded then the authority which made the selection must give reason why he was superseded. It is to be noted in this connection that the applicant was transferred out of turn from Hassan and posted to Mysore as DCP, Law and Order, Mysore and in a matter of a few days this was cancelled and the 4th Respondent was brought in. It is admitted by all that 4th Respondent is not qualified to hold the post as he is a non-IPS officer and the Deputy Commissioner post at Mysore is to be held by a cadre officer who is an IPS officer only. Applicant is admittedly much more senior to the 4th Respondent. Therefore, on all aspects our earlier order will survive and we reiterate it. Therefore, we pass the following orders:

- 1) The appointment of the 4th Respondent as Deputy Commissioner of Police, Law and Order, Mysore City is quashed on the various grounds stated above.
- 2) It will be taken as applicant is continuing from the very beginning as Deputy Commissioner of Police, Law and Order, Mysore for the apportioned tenure as provided in the various decisions of the Hon'ble Apex Court.
- 3) The State Government will, of course, complete the inquiry into the Annexure R1 matter as postulated by the Police Commissioner of Mysore and do whatever is needed under law.

4) The applicant will immediately and forthwith take charge as Deputy Commissioner of Police, Mysore City.

10. The OA is allowed as above. No order as to costs.

(C V SANKAR)
MEMBER (A)

(DR.K.B.SURESH)
MEMBER (J)

/ksk/

Annexures referred to by the applicant in OA No. 170/01042/2019

Annexure A1 Copy of the notification dated 15.09.2018
Annexure A2 Copy of the notification dated 04.04.2019
Annexure A3 Copy of the order of transfer dated 19.08.2019
Annexure A4 Copy of the notification dated 21.02.2019
Annexure A5 Copy of the notification dated 29.12.2015
Annexure A6 Copy of the notification dated 28.08.2019
Annexure A7 Copy of the movement order dated 28.08.2019
Annexure A8 Copy of the notification dated 04.09.2019

Annexures referred in reply statement

Nil

Annexures referred in rejoinder

Annexure A4 Copy of the Indian Police Service (Cadre) Rules, 1954

Annexures referred in affidavit

Annexure R1 Copy of the letter dated 23.01.2020 addressed to The Commissioner of Police

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