

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 11533 of 2015

ORDER:

Heard learned counsel for the petitioners and learned Government Pleader for the respondents.

2. This writ petition is filed challenging the proceedings in Rc.No.122/2012-B dated 15.04.2015. A perusal of the order shows that the District Cooperative Officer (FAC), Guntur, ordered for an inquiry into the constitution, working and financial position of the Lam Labour Contract Cooperative Society Limited, Lam Village, with special reference to the report of the Divisional Cooperative Officer, Guntur, and the Assistant Registrar, Office of the S.D.L.C.O., Guntur, was asked to conduct the inquiry. The said Assistant Registrar submitted an interim report stating that the Managing Committee is not cooperating with the inquiry and continuation of the Committee is not desirable. In pursuance thereof, the Deputy Registrar of Cooperative Societies, Guntur, called upon the Managing Committee to submit its explanation why action for supersession of the Committee shall not be taken.

3. The learned counsel for the petitioners submits that the Deputy Registrar of Cooperative Societies, Guntur, had already made up his mind to supersede the Managing Committee and the present show cause notice is only a formality. He further submits that based on the interim report, the Deputy Registrar cannot come to a conclusion. This Court is not inclined to express any opinion on the allegations or on the basis of the interim report alleged to have been submitted by the Assistant Registrar who was appointed to conduct the inquiry. The learned counsel for the petitioners also submits that the petitioners are willing to cooperate with the inquiry, but it should not be conducted in a prejudicial manner. In the circumstances, the writ petition is disposed of giving liberty to the petitioners to submit their explanation within a period of three (3) weeks from the date of receipt of a copy of this order and cooperate with the inquiry to be conducted by the Assistant Registrar, Office of the S.D.L.C.O., Guntur, who shall conduct the inquiry based on the report made

available to him by the Managing Committee Members and submit a final report within a period of four (4) weeks. The Deputy Registrar of Cooperative Societies shall consider the explanation submitted by the petitioners and also the final report and pass appropriate orders thereon duly following the principles of natural justice. Till such time, there shall not be any action of supersession of the Managing Committee of Lam Labour Contract Cooperative Society Limited, Lam Village.

4. The Writ Petition is accordingly disposed of. Miscellaneous petitions, if any, pending in the writ petition shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

5th June, 2015

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THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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