

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.10292 OF 2005

Between:

Ch. Eswar Rao and others

.. Petitioners

and

The Divisional Co-operative Officer,
Yellamanchili and another

.. Respondents

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.10292 OF 2005

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ORDER

This writ petition was filed with the following prayer:

‘For the reasons stated in the accompanying affidavit, it is therefore prayed that this Hon’ble Court may be pleased to issue any writ, order or direction particularly a writ in the nature of MANDAMUS directing the respondents to continue the petitioners by paying arrears of salary due to the petitioners by declaring the action of the respondents as arbitrary, illegal and violative of articles 14, 16, 21 and 311 of Constitution of India besides violation of Principles of Natural Justice and the relevant provisions of A.P. Co-Operative Societies Act, 1964 with all consequential benefits and pass such other relief or relieves as this Hon’ble Court may deem fit, just and necessary in the circumstances of the case.’

By order dated 22.06.2005, this Court directed the respondents to dispose of the representation of the petitioners within a time frame.

It is stated that upon examination of the petitioners’ representation, the society passed orders dated 23.03.2006. However, no steps were taken by the petitioners to either challenge these proceedings independently or amend the prayer in this writ petition by including a challenge to the said proceedings.

That apart, the Divisional Co-operative Officer, Yellamanchili, filed a counter-affidavit in the contempt proceedings which arose out of the alleged disobedience to the interim order dated 22.06.2005, wherein he stated that the petitioners opted for voluntary retirement. He further stated that the petitioners also received the retirement benefits as well as the pending salary dues.

Sri B.M. Patro, learned counsel for the petitioners, fairly stated that he has no instructions as regards these steps taken by the petitioners.

In that view of the matter, the writ petition does not survive for consideration on merits and is accordingly dismissed. Pending

miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

SANJAY KUMAR, J

16th SEPTEMBER, 2015

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