

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

—
WRIT PETITION No.31826 of 2013

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Cooperative Societies for respondents 1 to 3 and 6.

2. The petitioner is one of the members of the fourth respondent Society. The fifth respondent was elected as the President of the fourth respondent Society in the elections held in January, 2013. The petitioner submitted a representation on 30.08.2013 to the third respondent seeking disqualification of the fifth respondent on the ground that the fifth respondent is having three children and he incurred disqualification under Section 21-A (1-A) of the A.P. Cooperative Societies Act, 1964. When the said representation was not disposed of, the present Writ Petition is filed.

3. A counter-affidavit is filed on behalf of respondents 1 to 3 admitting that the petitioner approached the third respondent with xerox copies of the school records of the fifth respondent's children. Earlier, the petitioner filed an objection petition on 25.01.2013 before the Election Officer requesting him not to accept the nomination of the fifth respondent and two others. The objection of the petitioner was rejected and the fifth respondent contested the election and got elected as President on 01.02.2013. The representation of the petitioner dated 28.02.2013 was received by the third respondent on 04.03.2013. After receipt of the same, the third respondent initiated action by addressing a letter to the petitioner on 22.03.2013 requesting to produce the documentary evidence. The petitioner appeared before the third respondent on 12.09.2013 through an Advocate and he was asked to appear on 30.11.2013. Since there was no representation on that day,

the matter was posted to 09.12.2013. The said counter-affidavit was dated 19.12.2013 and the further developments are not known.

4. In view of the action that was already initiated by the third respondent and the appearance of the petitioner through his counsel, this Writ Petition is disposed of directing the third respondent to take further necessary steps in the matter in accordance with law and complete the same within a period of three months from the date of receipt of a copy of this order. No order as to costs. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

A.RAMALINGESWARA RAO, J

Date: 20.07.2015
TJMR