

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 34927 of 2015

ORDER:

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

2. The petitioner is a member of the Adi Andhra Tenants Co-operative Society Limited, Pedaganjam, Chinaganjam Mandal, Prakasam District. The term of the Managing Committee came to an end on 08.08.2015. Before the expiry of the term, on a requisition made by the Committee, an Election Officer was appointed to conduct elections to the Managing Committee. The Election Officer issued a notice under Rule 22 of the A.P. Cooperative Societies Rules for conduct of elections to the members of the Managing Committee on 31.10.2015 by show of hands. Challenging the method of conducting elections by show of hands, in spite of the representation of the petitioner and others dated 12.10.2015, the present writ petition is filed.

3. Though this writ petition is filed challenging the conduct of elections by show of hands, the said procedure is contemplated under Rule 22-B of the A.P. Cooperative Societies Rules. The learned counsel for the petitioner submits that in the earlier round of elections, such procedure was not followed. The learned Government Pleader, on the other hand, submits that the procedure followed by the Election Officer is in accordance with the rules only. However, there is a provision for conduct of elections by secret ballot, if a proposal was received by the election authority 60 days before the expiry of the term of the Managing Committee. At this stage, this Court is not in a position to verify whether a proposal was there for conduct of elections by secret ballot. However, in view of the representation submitted by the petitioner and others on 12.10.2015 to the election authority, the 3rd respondent shall consider the representation alleged to have been submitted by the petitioner and others to the 2nd respondent, by verifying the record, and if there is any requisition for conduct of elections by secret ballot, as contemplated under Rule 22-B

of the A.P. Cooperative Societies Rules, he shall take necessary action in that regard before 31.10.2015.

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

(A.RAMALINGESWARA RAO, J)

28th October, 2015

Note: Furnish C.C. by tomorrow.

(b/o)

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