

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.2373 of 2015

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ORDER:

Heard.

Alleging inaction on the part of the respondents in including the names of the petitioners, who are original members of the 7th respondent Society, in the voters list of the 7th respondent Society, dated 04-02-2015, in respect of the elections scheduled on 07-02-2015, the petitioners filed the present writ petition.

Learned counsel for the petitioners submits that respondents 5 to 7 did not follow the procedure laid down under the A.P. Co-operative Societies Act, 1964 and the Rules made thereunder while initiating and conducting elections of the 7th respondent Society. It is stated that the Election Officer has neither scrutinized the voters list nor he has given opportunity to point out that the voters list contains the names of dead persons and that there are several cases of wrongful inclusion.

It is evident from the writ papers filed by the petitioners that election notification was already issued on 22-01-2015 and the elections are scheduled to take place tomorrow. Since the Election Officer issued Election Notification, it is presumed that he has taken all necessary steps prior thereto in terms of Rule 22 of the A.P. Co-operative Societies Rules, 1964 and at this stage, it is not possible to accept the contention of the learned counsel for the petitioners, as this Court would not interdict any election, which is notified and scheduled for tomorrow. Therefore, the petitioners will have only alternative to question the election in an appropriate manner as prescribed under law.

With the liberty aforesaid, the writ petition is dismissed. No order as to costs.

The miscellaneous petitions, if any, pending in this writ petition shall stand closed.

VILAS V.AFZULPURKAR, J

Date: 06-02-2015

Prv

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