

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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WRIT PETITION No.29630 of 2015

ORDER:

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

2. The petitioners are members of third respondent society. When their names were deleted on 29.11.2012 on the ground that they did not remit the enhanced share capital of Rs.50/-, they filed W.P.No.37509 of 2012. Though this Court granted stay on 05.12.2012, ultimately dismissed the writ petition on 20.11.2013. Thereafter, the fourth respondent issued proceedings to continue the elections from the stage where they were stopped. Challenging the said action, the petitioners filed W.P.No.32491 of 2014 and the same was also dismissed on 01.04.2015, directing completion of election process. In view of deletion of their names, the petitioners could not participate in the elections. However, in the elections that took place subsequently, a new committee was elected which passed a resolution on 31.05.2015 removing the petitioners from membership of the society on the ground that they were acting against the interest of the society. Challenging the removal, the present writ petition is filed.

3. In view of the availability of alternative remedy, this Court is not inclined to entertain the present writ petition. However, the writ petition is disposed of giving liberty to the petitioners to file an appeal before the competent tribunal, within a period of 15 days 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: 11.09.2015

Note: Issue CC by 14.09.2015.

B/o. TJMR