

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION NO.9509 OF 2015

ORDER:

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

The petitioner is a member of the fourth respondent-Society. He has taken loan of Rs.1,00,000/- for construction of house in the year 1989. Though the petitioner has taken loan of Rs.1,00,000/-, only Rs.92,000/- was disbursed to him. However, it is the case of the petitioner that he paid an amount of Rs.2,32,721/- by 05.07.2001. But the officials of the fourth respondent approached the Registrar of Co-operative Societies for issuance of a Certificate under Section 71(2) of the Andhra Pradesh Co-operative Societies Act. When a certificate was issued by the Registrar of the Co-operative Societies, the petitioner challenged the same before the A.P. Co-operative Tribunal at Vijayawada by filing O.A.No.148 of 2005. The said appeal was allowed on 17.03.2006.

It is the further case of the petitioner that thereafter, no steps were taken by the respondents but they are trying to recover amount from the petitioner by using force.

In view of the apprehension of the petitioner that without taking any steps in accordance with law, he is being threatened to pay some amount pursuant to loan granted to him in the year 1989, this Court deems it appropriate to dispose of the Writ Petition by directing respondents not to threaten the petitioner for repayment of the amount without following due process of law.

The Writ Petition is, accordingly, disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

(A.RAMALINGESWARA RAO, J)

22nd June 2015
RRB