

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

-
WRIT PETITION No.28225 of 2015

ORDER:

The petitioner is the President of the Primary Agricultural Cooperative Society Limited, Kondanagula, Mahaboobnagar District. There are 13 members in the Society. When a notice of no confidence motion was served by nine members to the competent authority and the competent authority in turn issued a notice under Section 34-A(3) of the Andhra Pradesh Cooperative Societies Act, 1964, on 21.08.2015 convening a meeting on 15.09.2015, the present Writ Petition is filed challenging the said notice.

Learned Counsel for the petitioner submits that the fifth respondent was working as an employee of ZPHS, Balmoor, and action was initiated for his removal. When the said action was pending, he instigated the other members of the Society, as a result of which, the proposed meeting for no confidence motion is being convened. Learned Counsel for the petitioner also submits that the fourth respondent has no jurisdiction to issue the impugned notice and hence the notice is irregular.

I am not impressed by the arguments of the learned Counsel for the petitioner. The fifth respondent has not yet been disqualified to continue as a member of the Society. Be that as it may, nine members have signed the motion of no confidence, and the presence of the fifth respondent does not matter. With regard to the jurisdiction of the fourth respondent, learned Government Pleader submits that the powers of the Registrar were delegated to the fourth respondent and hence, the notice is valid.

In view of the above, the Writ Petition is liable to be dismissed and the same is, accordingly, dismissed at the admission stage. The miscellaneous petitions pending, if any, shall stand closed. There shall

be no order as to costs.

(A.RAMALINGESWARA RAO, J)

02.09.2015
vs