

HON'BLE SRI JUSTICE R. KANTHA RAO

Writ Petition No.10119 of 2015

ORDER:

Heard the learned counsel appearing for the petitioner and the Government Pleader for Co-operation for the State of Andhra Pradesh.

2. This writ petition is filed seeking writ of *Mandamus* declaring the surcharge proceedings dated 30.01.2015 by the 3rd respondent without furnishing the documents sought by the petitioner, as illegal and arbitrary.

3. The case of the petitioner is that the Surcharge proceedings under Section 60(1) of the A.P. Cooperative Societies Act, 1964 have been issued to him and the 2nd respondent issued a notice dated 30.01.2015 to the petitioner to appear before him on 25.02.2015. It is submitted on behalf of the petitioner that the petitioner appeared before the concerned authorities on the said date and requested to furnish documents, including audit report for the year 2012-13 so as to enable him to explain the charges levelled against him under surcharge proceedings. The surcharge enquiry was adjourned to 07.03.2015, 01.04.2015 and again to 10.04.2015. The grievance of the writ petitioner is that the enquiry is being held without furnishing the required documents and without permitting the petitioner to verify the records for the purpose of explaining the charges levelled against him. Learned Government Pleader for Cooperation submits that even though an opportunity was afforded to the petitioner to peruse the records, the petitioner did not avail the opportunity and filed the present writ petition on false grounds.

4. Considering the submissions made on either side, the respondents are directed to permit the petitioner to peruse the records as sought for during the working hours, receive the explanation of the

petitioner and then proceed with the enquiry, in accordance with law.

5. The writ petition is accordingly disposed of. Miscellaneous applications, if any, shall stand closed. No order as to costs.

R. KANTHA RAO, J

Date: 16.04.2015
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HON'BLE SRI JUSTICE R. KANTHA RAO

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