

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No.13984 of 2015

ORDER:

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

2. It is the case of the petitioners that the father of first petitioner was working as Chief Executive Officer of Primary Agricultural Cooperative Society Limited, Palamakula, Medak District. While so, a complaint was made against him with regard to some irregularities alleged to have been committed by him along with two other persons. On the basis of the complaint lodged by the President of the said Society, a crime in FIR No.44 of 2015 was registered under Sections 420 and 409 IPC. Prior to the registration of the complaint, a notice under Section 73 of the Andhra Pradesh Cooperative Societies Act, 1964 to the father of the first petitioner to furnish security for a sum of Rs.20,00,000/- and when he failed to furnish the same, the impugned order of attachment was passed including the properties of the petitioners.

3. Now it is the case of the petitioners that they have nothing to do with the alleged irregularities committed by father of the first petitioner and their property is wrongly attached under the impugned order. But this Court cannot examine the ownership of property of the petitioners or their relationship with the alleged irregularity committed by father of the first petitioner. However, liberty is given to the petitioners to file an appropriate application before the second respondent for lifting of the order of attachment. On receipt of such application, the second respondent is directed to consider and dispose of the same in accordance with law.

4. Giving such liberty, the Writ Petition is disposed of. No order as to costs. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 08.06.2015

TJMR