

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No.12852 of 2015

ORDER:

_____ Heard the learned counsel for the petitioner and the learned Government Pleader for Cooperation appearing for the respondents.

_____ The petitioner is an ex-president of fourth respondent- Penuguduru Primary Agriculture Cooperative Society Limited. It has area operational in five villages. It got nearly 2100 members. There was a complaint by various villagers on 28.12.2014 and 05.01.2015 against the payments of crop insurance scheme. The Assistant Registrar/Sub-Divisional Cooperative Officer, Kakinada was appointed to enquire into the matter and he issued notices to the complainants on 17.02.2015. The fourth respondent paid the dividend amount out of profits to the members after the said enquiry. The petitioner submitted a detailed representation on 10.03.2015 before the third respondent, marking a copy to the second respondent about misappropriation of funds. Though the Assistant Registrar/Sub-Divisional Cooperative Officer, Kakinada completed the enquiry, she did not submit her report to the fourth respondent-society, which came under the way of fourth respondent disbursing the amounts due to its members. In those circumstances, the present writ petition is filed.

_____ The third respondent filed counter affidavit stating that in the enquiry conducted by the bank, a preliminary report was issued on 10.06.2015 and it was submitted to the third respondent on 12.06.2015. The third respondent is taking steps for seeking a detailed Cooperative Departmental enquiry/inspection under the provisions of Andhra Pradesh Cooperative Societies Act for taking necessary civil and disciplinary action against the employees of the fourth respondent-society as suggested by the Enquiry Officers in

their preliminary report.

_____ In view of the above facts and circumstances of the case, this writ petition is disposed of, directing the second respondent to conduct detailed enquiry, if he so chooses, pursuant to the preliminary enquiry report submitted by the third respondent on 12.06.2015 and complete the same, within a period of three months from the date of receipt of a copy of this order. If the second respondent feels that no enquiry is needed, the amounts due to the petitioner and others shall be disbursed in accordance with law. Miscellaneous Petitions, if any pending in this writ petition shall stand closed. No order as to costs.

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A. RAMALINGESWARA RAO, J

Date: 10.07.2015

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