

**THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO**

**WRIT PETITION No. 7617 OF 2015**

**ORDER:**

The petitioner, who functioned as a Chief Executive Officer of Primary Agricultural Cooperative Society, Sathanpally, Khanapur Mandal, Adilabad District, calls in question the order passed on 07.03.2015 by the said Society.

The case of the petitioner is that he was working earlier as the Chief Executive Officer of Sathanpally Primary Agricultural Cooperative Society, but however, even without accepting the resignation tendered by him, the Society is directing him to hand over all the records. Further, it is the case of the petitioner that majority of the members of the Managing Committee of the Society are not inclined to accept his resignation and that they are very keen that he should continue as the Chief Executive Officer, but however, the President of the Managing Committee, without the authorization of the Managing Committee or majority of the members of the Managing Committee, has issued the present order dated 07.03.2015 directing the petitioner to hand over all the records. That, according to the learned counsel for the petitioner, is grossly erroneous and illegal.

The petitioner has described himself as an Ex-Chief Executive Officer in this Writ Petition and also in the sworn affidavit filed by him in support of this Writ Petition. When once he ceased to be the Chief Executive Officer of the Primary Agricultural Cooperative Society, he has no authority of any manner to keep the records and books of account of the Society with him any longer. Particularly the cheque books, receipt books and cash book and also the vouchers book cannot be retained by him any further. Those records are essentially needed for the Society to carry on its day to day business. If the petitioner does not deliver those records and restores their custody back to the Society, the Society will not be able to function effectively and smoothly. Therefore, even assuming that the President of the Managing Committee of the Society, acting on his own but not backed by any resolution of the majority of the members of the Managing Committee, directed the petitioner to hand over the records of the Society and restore their custody back to it, there is no illegality or infirmity in such an order. In case the petitioner has got any subsisting grievance with regard to the acceptance of his resignation letter, the

remedy lies elsewhere.

Hence, I do not find any infirmity in the impugned order. Accordingly, the present Writ Petition is dismissed at the admission stage. No costs.

Consequently, the miscellaneous applications, if any shall also stand dismissed.

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**NOOTY RAMAMOHANA RAO, J**

2<sup>nd</sup> April 2015

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