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THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.19707 of 2011

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17.06.2015

Between:

P.Satyam Naidu

...Petitioner

And

The State of Andhra Pradesh,
represented by its Principal Secretary, Hyderabad and
others

...Respondents

Counsel for the petitioner: Mr.L.V.S.Nagaraju

Counsel for respondent Nos.1 to 4: Government Pleader
for Cooperation (AP)

Counsel for respondent No.5: Assistant Government
Pleader

for Home (AP)

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The Court made the following:

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ORDER:

This writ petition is filed for the following substantive relief:

“.....to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus to declare the proceedings in Rc.No.1334/97-C (Coop.) dated 04.05.2001 issued by the 2nd respondent and the consequential registration of crime No.66 of 2001 on the file of the Gajapathinagaram Police Station, Vizianagaram District as illegal, arbitrary, without jurisdiction and violative of the principles of natural justice and contrary to the provisions of Andhra Pradesh Cooperative Societies Act, 1964 and Rules made thereunder and also violative of Article 14 of the Constitution of India and consequently set aside the said proceedings dated 04.05.2001 and to pass such other order or orders....”

A perusal of the record shows that this writ petition is filed ten years after the impugned proceedings granting sanction of prosecution against the petitioner were issued. Therefore, the writ petition is liable to be dismissed on the ground of unexplained laches. Even otherwise, the writ petition is liable to be dismissed on merits as the issue raised in this writ petition viz., competence of respondent No.2 to sanction prosecution against the petitioner has been conclusively adjudicated by this Court, by order, dated 02.06.2015 in W.P.No.28047 of 2012.

Hence, the Writ Petition is dismissed on both the above grounds.

As a sequel to dismissal of the writ petition, interim order, dated 28.07.2011 is vacated and W.P.M.P.No.23850 of 2011 and W.V.M.P.No.863 of 2012 shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J

17th June, 2015
GHN