

THE HONOURABLE SRI JUSTICE A. RAJASHEKER REDDY

W.P.No.14237 of 2015

ORDER

Heard learned counsel for the petitioner, learned Government Pleader for Cooperation for respondents 1 to 3 and Smt B. Vijaya Lakshmi, learned counsel for respondents 4 and 5.

2. This writ petition is filed seeking to declare the action of respondents 1 and 2 in not considering the petition dated 24.06.2015 of the petitioner for issuance of fresh election schedule since there was no 15 days gap from the date of notification to the date of election as per Rule 22(2)(b) of A.P. Cooperative Societies Rules, 1964 (for short 'the Rules'), as illegal and arbitrary.

3. Learned counsel for the petitioner submitted that the election notification was issued on 24.04.2015 for conducting elections to the Managing Committee of Nandipadu PACS without following due procedure under Rule 22(2)(b) of the Rules and therefore, he seeks to stay the election, which is scheduled on 07.05.2015.

4. Smt B. Vijaya Lakshmi, learned counsel for respondents 4 and 5 submits that the process of election, which is scheduled today, has already been started and there is no need to interfere with the same.

5. As per the settled proposition of law, when once the election process is going on, this Court will not normally interfere with the same. However, it is open for the petitioner to avail the remedy under Section 61(3) of the A.P. Cooperative Societies Act, 1964.

6. Accordingly, the Writ Petition is disposed of. No order as to costs.
Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

A. RAJASHEKER REDDY, J.

07th May, 2015

sj/prv