

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No.26800 of 2015

DATE 26-08-2015

Between:

1. Desaboina Venkanna and another

... Petitioners

And

1. The State of Telangana, rep. by its Principal Secretary to
Government, Agriculture & Cooperation Department,
Secretariat, Hyderabad-and others.

... Respondents

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

W.P.No.26800 of 2015

ORDER:

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

In respect of a Primary Agricultural Cooperative Society in Tadakamalla village of Nalgonda District elections were held in January 2013. In the said election 13 directors were elected and out of the said 13 directors, one director died and 12 directors were existing. On the basis of a letter submitted by 7 directors including the petitioners herein, No Confidence Motion was moved against the President of the Society on 17.8.2015. But none of the Directors were present on that day. In view of resignation of majority of Directors, proceedings dated 19.08.2015 were issued appointing the 4th respondent as person in charge of the Society. Now the present writ petition is filed by two directors, who signed the Motion of No Confidence earlier seeking to declare the letter dated 19.08.2015 of the Deputy Registrar Miryalaguda, Nalgonda District as illegal and arbitrary.

The learned counsel for the petitioners submits that in view of the subsequent stand taken by the petitioners withdrawing the resignation submitted by them to the post of directors, the 2nd respondent ought to have considered the same in the light of the representation submitted by the petitioners and recall the order of appointment of person in-charge by withdrawing the proceedings dated 19.08.2015 as the committee of the society has got majority of 7 directors out of 12 directors and majority of directors can run the society.

In view of the subsequent change in the stand taken by the petitioners and in view of the representation filed by them on 19.08.2015, and 20.08.2015, the 2nd respondent is directed to consider the representations submitted by the petitioners in accordance with law and pass appropriate orders within a period of 30 days from the date of receipt of a copy of this order.

With the above direction, the writ petition is disposed of. Consequently, miscellaneous petitions, if any, shall stand closed. No order as to costs.

A. RAMALINGESWARA RAO, J.

26th August, 2015

Js.

Note: issue C.C. in 3 days.