

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

-
-
WRIT PETITION No.22901 of 2015
-

-
ORDER:

This writ petition is filed challenging the proceedings dated 06.07.2015 issued by the second respondent calling for a meeting for consideration of No-confidence motion against the President of the Society on 31.07.2015.

Heard the learned counsel for the petitioner, the learned Government Pleader, and the learned counsel for the impleaded respondents.

This Court by order dated 28.07.2015 directed that the meeting for consideration of No-confidence motion shall go on, but the results shall not be declared until further orders.

Pursuant to the said order, it appears that the meeting did not take place and the learned counsel for the petitioner, by relying on the decision of a Division Bench of this Court in **B.Shekar v. Deputy Registrar of Co-operative Societies, Kurnool**^[1], submitted that based on the earlier notice issued by the members, the second respondent cannot issue a notice fixing the meeting for consideration of No-confidence motion, but the members have to issue fresh notice and fresh action has to be initiated. The said position is accepted by the learned counsel for the impleaded respondents as well as the learned Government Pleader.

In view of the above, the impugned proceedings dated 06.07.2015 are set aside, and the Writ Petition is allowed. However, it is open to the impleaded respondents and other members to submit a fresh requisition for No-confidence motion to the second respondent, and the second

respondent is given liberty to take appropriate action in accordance with law. There shall be no order as to costs.

Miscellaneous petitions pending, if any, in this Writ Petition shall stand closed.

A.RAMALINGESWARA RAO, J

Date: 15.09.2015

MVA

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

— — — — —

-
-
-
-
-
-
-
-

WRIT PETITION No.22901 of 2015

Date: 15.09.2015

MVA

[\[1\]](#) 2010 (1) ALT 608 (D.B.)