

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No.17096 of 2009

Order:

This Writ Petition was filed challenging the communication dated 06.07.2009 issued by the second respondent and the proceedings of the Divisional Cooperative Officer, Kandukur, Prakasam District dated 26.06.2009 addressed to the President of the Primary Agriculture and Cooperative Society, C.S. Puram, Prakasam District.

The Writ Petition was filed mainly on the ground that the surcharge order dated 26.05.2008, directing the petitioner to pay an amount of Rs.94,611/- along with interest at 8% p.a., was not communicated and the present communication advising the petitioner to take appropriate proceedings, in the absence of communication of the surcharge order, was improper.

In those circumstances, this Court called for the record from the respondents and the record revealed that the surcharge order dated 26.05.2008 was communicated to the petitioner. In view of the same, without challenging the surcharge proceedings, the present Writ Petition is not maintainable.

The Writ Petition is, accordingly, dismissed. However, it is left open to the petitioner to take appropriate proceedings in accordance with law. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 03.11.2016
Nsr