

HON'BLE SRI JUSTICE S.V.BHATT

W.P.Nos.40288,40303 AND 40330 OF 2016

COMMON ORDER:

Heard Mrs.Bobba Vijaya Lakshmi for petitioners and
Government Pleader for Co-operation (AP).

The prayers in the writ petitions are as follows:

W.P. No.40288 of 2016:

'..writ of Mandamus, declaring the proceedings of the third respondent in Rc.No.3550/2016-C2, dated 03.11.2016 ordering an inquiry under Section 51 of the A.P. Cooperative Societies Act into the affairs of the petitioner Society and also the consequential proceedings of the fifth respondent in Rc.No. 1 /SDLCO-BDVL/2016 dated 11.11.2016, as illegal, arbitrary and contrary to Section 51 of the A.P. Cooperative Societies Act and consequently set aside the same..."

W.P. No.40303 of 2016:

"...writ of Mandamus, declaring the proceedings of the third respondent in Rc.No.3379/2016-C2, dated 03.11.2016 ordering an inquiry under Section 51 of the A.P. Cooperative Societies Act into the affairs of the petitioner Society and also the consequential proceedings of the fifth respondent in Rc.No.1/2016 dated 11.11.2016, as illegal, arbitrary and contrary to Section 51 of the A.P. Cooperative Societies Act and consequently set aside the same..."

W.P. No.40330 of 2016:

"...writ of Mandamus, declaring the proceedings of the third respondent in Rc.No.3380/2016-C2, dated 03.11.2016 ordering an inquiry under Section 51 of the A.P, Cooperative Societies Act into the affairs of the

petitioner Society and also the consequential proceedings of the fifth respondent in Rc.No.1/2016 dated Ni1.11.2016, as illegal, arbitrary and contrary. to Section 51 of the A.P. Cooperative Societies Act and consequently set aside the same...”

The grievance of petitioners is that basing on the complaint given by some persons, who are not even members of the petitioner societies, the Divisional Cooperative Officer, Rajampet, forwarded the report to the 3rd respondent and on the basis of the report, the 3rd respondent issued the impugned order to conduct enquiry in the affairs of the petitioners. The learned counsel fairly states that the challenge is to a notice issued under Section 51 of the A.P. Cooperative Societies Act and submits that the petitioners fear prejudicial handling of notice by respondents for a few circumstances. The contention is noted for the limited purpose of sensitizing the respondents that the exercise of power shall be strictly in accordance with law and fair opportunity is provided to petitioners at all stages of the matter.

The writ petitions are dismissed with above observation.
No order as to costs.

Miscellaneous petitions pending if any shall stand closed.

S.V. BHATT, J

Date: 22.11.2016
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