

HON'BLE SRI JUSTICE S.V.BHATT

W.P.No.32896 OF 2016

ORDER:

Heard Mr.C.Tulasi Krishna for petitioners and Mr.P.V.LBhanu Prakash for 2nd respondent.

On 26.09.2016, the petitioners filed the instant writ petition for the following relief:

“.....this Hon'ble Court may be pleased to issue an appropriate writ, order or direction and more particularly, one in the nature of Writ of Mandamus declaring the action of the 2nd respondent in issuing notice dated 22.08.2016 and public auction notice dated 23.09.2016 without following the principles of natural justice and the due procedure of law as laid down under the provisions of the AP Cooperative Societies Act, 1964 as illegal, arbitrary and unconstitutional and consequently set aside the said auction proceedings and pass such further order or orders as the Hon'ble Court may deem fit and proper in the circumstances of the case”.

It is matter of record that the petitioners filed a petition claiming EP schedule property before the 1st respondent. The 1st respondent rejected the claim of petitioners. The petitioners aggrieved thereby filed C.T.A.No.43 of 2016 before the Cooperative Tribunal, Hyderabad and the appeal is pending as on date.

Keeping in view the order of 1st respondent rejecting the claim of petitioners and also that the remedy of appeal against such rejection in C.T.A.No.43 of 2016 is already availed by the petitioners before the Cooperative Tribunal, I am not proposing to examine the merits canvassed by the petitioners in the writ petition.

By leaving open all contentions available in this behalf to be canvassed before the Cooperative Tribunal, the writ petition is disposed of by this order.

The interim order granted on 27.09.2016 is directed to be continued for a period of eight weeks from today. The Cooperative Tribunal is directed to consider and dispose of the appeal as expeditiously as possible, preferably within eight weeks.

There shall be no order as to costs.

Consequently, miscellaneous petitions, if any pending, also stand disposed of.

Date: 02.12.2016

Note:

Issue CC in two days
B/o Lrkm



S.V.BHATT,J