

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION NOs.18665 OF 2006 AND 28341 OF 2010

COMMON ORDER:

These two Writ Petitions are being disposed of by this common order, as the petitioner in both the cases is same.

It is the case of the petitioner that the petitioner submitted a proposal for registration of the society pursuant to the direction of the first respondent dated 21.12.1987 by depositing an amount of Rs.10,000/- and enclosing a copy of agreement of sale of land admeasuring Acs.25.03 gts situated in Survey No.1257 Shamirpet Village and Mandal, Ranga Reddy District. The first respondent registered the petitioner's society and issued a certificate of registration bearing No. PTBC 21/1988 under Section 8 of the Andhra Pradesh Co-operative Societies Act, 1964, with effect from 29.03.1988. The first respondent further directed the petitioner to submit proposals in complete shape for its final registration on or before 29.03.1989, as proposals would not be entertained after that date vide, his letter dated 26.11.1988. Accordingly, the petitioner submitted his proposals for final registration on 27.03.1989. When the first respondent did not take any action for issuance of the final registration certificate to the petitioner-society, it filed WP.No.18665 of 2006.

It appears that the petitioner-society held a General Body Meeting on 15.08.2000 and decided to convert the society as a mutually aided co-operative society under the provisions of the Andhra Pradesh Mutually Aided Co-operative Societies Act, 1995. Accordingly, it submitted its proposals for conversion before the second respondent on 28.04.2003. However, the second respondent entrusted the matter

to the first respondent by letter dated 27.07.2004. The first respondent submitted a report to the second respondent on 01.09.2004 stating that the petitioner is running a real estate business in the name of Pujitha Constructions and doing ventures in and around Shamirpet and cheating the defence personnel. The second respondent, accordingly, rejected the application of the petitioner-society by orders dated 10.09.2004. Challenging the same, the petitioner filed O.P.No.16 of 2005 before the Andhra Pradesh Co-operative Tribunal, Hyderabad and the Tribunal, while passing an order on 01.08.2008 suspending the orders passed by the second respondent dated 20.12.2002 gave liberty to the petitioner to file an application afresh before the second respondent, directed the second respondent to conduct a detailed enquiry and to pass a reasoned order. Challenging the same, WP.No.28341 of 2010 was filed.

Learned counsel for the petitioner states that he does not press WP.No.28341 of 2010 and sought permission to withdraw the same.

Permission is accorded to withdraw WP.No.28341 of 2010.

Now, the relief sought in WP.No.18665 of 2006 is to be considered. The said relief refers to consideration of the case for final registration pursuant to its proposals dated 27.03.1989. Even after ten years of filing the Writ Petition, no counter affidavit is filed by the respondents.

In the circumstances, without going into the merits of the case, the first respondent is directed to consider the proposal of the petitioner-society dated 27.03.1989 filed for final registration and pass appropriate orders in accordance with law within a period of three (3) months from the date of receipt of a copy of this order.

Accordingly, WP.No.18665 of 2006 is disposed of and WP.No.28341 of 2010 is dismissed as withdrawn. There shall be no order as to costs. Miscellaneous petitions, if any, pending in both the Writ Petitions shall stand closed.

(A.RAMALINGESWARA RAO, J)

3rd November 2016
RRB

