

HON' BLE SRI JUSTICE T. SUNIL CHOWDARY

WRIT PETITION No.31276 of 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking a writ of Mandamus declaring the inaction on the part of respondents 2 to 5 in disposing of the representation of the petitioner dated 19.01.2015 and 19.03.2015 as illegal and arbitrary.

2. Heard Sri C.V.Bhaskar Reddy, learned counsel for the petitioner and the learned Assistant Government Pleader for Cooperation (Andhra Pradesh) representing the respondents 1 to 5.

3. A perusal of the record reveals that the Ferry Boatsmen Cooperative Society, Nagaladinne village was registered under the Cooperative Societies Act vide registration No.YY.111/ 1979 with an object to provide employment by running ferry boats. Due to Thungabhadra river floods, the bridge was collapsed in the year 2009. The petitioner submitted a representation to the fifth respondent to re-constitute the society for conducting of ferry boat operations. Initially, the fifth respondent appointed person-in-charge for the sixth respondent society and later conducted elections. The seventh respondent was elected as president of the society. It is the case of the petitioner that the seventh respondent committed some irregularities while managing the affairs of the society. It is the further case of the petitioner that the seventh respondent engaged the services of non-members of

the society. A perusal of the record reveals that the petitioner submitted a representation to the third respondent on 19.01.2015 with a request to take appropriate action against the seventh respondent. On 19.03.2015, the petitioner submitted another representation to the Divisional Cooperative Officer, i.e. fifth respondent with a request to enquire into the affairs of the sixth respondent society.

4. At the time of arguments, the only relief sought by the petitioner is to direct the fifth respondent to dispose of the representation of the petitioner as expeditiously as possible. Learned Assistant Government Pleader also consented for the same.

5. In view of the submissions made by both the counsel, this Court is not inclined to express any opinion touching the merits of the main case. If this Court expresses any opinion, the same may cause prejudice to the rights of respondents 6 and 7.

6. Having regard to the facts and circumstances of the case and also the submissions made by both the counsel, the fifth respondent is hereby directed to dispose of the representation of the petitioner dated 19.03.2015 in the light of the provisions of the Andhra Pradesh Cooperative Societies Act, 1964 and the rules made there under after affording a reasonable opportunity to the petitioner as well as to respondents 6 and 7 as expeditiously as possible, preferably, within a period of two months from the date of receipt of a copy of this order.

7. With the above direction, this writ petition is disposed of.  
No order as to costs. Miscellaneous petitions, if any, pending in  
this writ petition shall stand closed.

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T.SUNIL CHOWDARY, J

September 16, 2016.  
Fns.

