

HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH

PRESENT

THE HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
THE HON'BLE SRI JUSTICE P.NAVEEN RAO

-
WRIT APPEAL No.485 OF 2016

DATED: 22.06.2016

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Between:

Chalamalasetti Venkata Rao

... Appellant

and

The Joint Registrar/District Cooperative Officer,
Krishna at Machilipatnam and others

... Respondents

**THE HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
THE HON'BLE SRI JUSTICE P. NAVEEN RAO**

-
WRIT APPEAL No.485 OF 2016

PC: (per the Hon'ble The Acting Chief Justice Dilip B. Bhosale)

Heard learned counsel for appellant.

This appeal is directed against the order, dated 21.03.2016 passed in Writ Petition No.9814 of 2012 whereby the Writ Petition filed by the appellant challenging initiation of enquiry under Section 52 of the Andhra Pradesh Cooperative Societies Act, 1964 was dismissed.

The only contention urged before this Court is that the enquiry is initiated at the instance of respondent No.4, who has no connection with the appellant's society. Learned counsel for appellant submits that all allegations made by respondent No.4 are false.

We have perused the impugned order. The learned Judge has considered the submissions and admissions made by the writ petitioner and after considering the entire material placed before Court, has observed that the allegation made by the writ petitioner that the enquiry is initiated at the instance of respondent No.4 is factually

incorrect. It appears that respondent No.4 only brought some illegalities/irregularities to the notice of respondent No.1. In other words, he set the machinery in motion. That does not mean that the enquiry is initiated only because respondent No.4 made allegations against the appellant.

As a matter of fact, Section 52 provides that the Joint Registrar can *suo motu* initiate enquiry and when such power is vested in the Joint Registrar, he can also take such action (suo motu) even at the instance of another person.

In the circumstances, we find no substance in the Writ Appeal.

Writ Appeal is dismissed.

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

DILIP B. BHOSALE, ACJ

22nd JUNE, 2016.

P. NAVEEN RAO, J

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