

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.43648 of 2016

ORDER:

Heard Mr. V.R. Reddy Kovvuri for petitioner and the Assistant Government Pleader (Cooperation) for respondents 1 to 4.

2. Petitioner challenges Lr.Rc.No.1867/2015-D dated 31.03.2016 and the consequential communication Rc.No.653/2815/Hsg. dated 01.06.2016 as illegal, violative of principles of natural justice, arbitrary and unconstitutional.

3. Mr. V. R. Reddy Kovvuri made a few submissions to sustain the writ petition in anticipation of respondents 3 and 4 acting contrary to the scheme of the A.P. Mutually Aided Cooperative Societies Act, 1995 (for short 'the Act') and taking steps including for dissolution of the society.

4. This Court is of the view that the objections now canvassed by the petitioner have to be treated as anticipated actions from respondents 3 and 4, after perusing the concluding paragraph in proceedings dated 01.06.2016, which reads thus:

"The copies of Inquiry report (original + 1) are enclosed. The DCO, Kadapa shall communicate the copy of the Inquiry report to the Managing Committee of the Devuni Kadapa Police Department Employees Mutually Aided Cooperative House Building Society Ltd., Kadapa with instructions to arrange for placing the Inquiry Report together with the findings of the undersigned before the General Body. The District Cooperative Officer, Kadapa is instructed to initiate necessary action as indicated above and report compliance."

This Court has no reason to doubt that the respondents have set in motion the procedure under Sections 29 and 31 of the Act and will proceed in accordance with law. As and when the next step is taken in the matter, before appropriate forum, the petitioner can raise objections on the tenability of the report etc.

5. The Assistant Government Pleader, on instructions, submits that the report is the first stage of proceedings under Sections 29 and 31 of the Act and the respondents will follow the procedure stipulated by law before decision is taken in this behalf.

6. The statement is placed on record. The writ petition is disposed of. It is made clear the disposal of the writ petition shall not be understood as this Court expressing view on the objections now stated in the affidavit or merits canvassed by the petitioner.

The miscellaneous applications, if any pending, shall also stand closed. There shall be no order as to costs.

December 23, 2016  
DSK

S. V. BHATT, J