

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.26748 OF 2017

ORDER:

The writ petition is filed questioning the action of the 1st respondent in not initiating the preventive measures under Sections 149 to 151 in respect of the plot No.74, situated in Sy.Nos.148 to 155, MCK Block No.2, Hydernagar Village, Balanagar Mandal, Kukatpally Area, Ranga Reddy District, as illegal and arbitrary.

Learned Government Pleader for Home (T.S) had placed the written instructions received from the Sub Inspector of Police, K.P.H.B Police Station, Hyderabad stating that the respondent police do not initiate any action under the provisions of Sections 149 or 151 Cr.PC.

Having regard to the respective contentions and as can be seen from the relief that is being claimed by the petitioner, it is evident that what petitioner seeks is that a roaming enquiry to be conducted into the affairs of the 5th respondent society which is normally impermissible for this Court to grant. Further, the allegations of the petitioner are in relation to the affairs of the 5th respondent society which is a Registered House Building Cooperative Society. The statutory provisions as contained under the A.P. Cooperative Societies Act, 1964 provide various measures which can be taken by the Registrar.

In the light of the availability of the effective alternative remedy to the petitioners either invoking the provisions of the A.P

Cooperative Societies Act in a given case or approaching the civil Court, it is not necessary for this Court to examine as to whether there are any circumstances made out by the petitioner to direct the respondent-police to invoke the provisions of Sections 149 to 151 of Cr.P.C.

Accordingly, the writ petition is dismissed.

Miscellaneous petitions, if any in this writ petition shall stand closed. No order as to costs.

CHALLA KODANDA RAM,J

Date:21.08.2017.

Gk.



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