

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.21680 OF 2017

ORDER:

This writ petition is filed challenging the proceedings of the second respondent, dated 21.06.2017, ordering for enquiry under Section 51 of the Andhra Pradesh Cooperative Societies Act, 1964, into the affairs of the petitioner Society.

The President of the Society filed the present writ petition stating that new body took charge on 31.01.2013 and he was elected as President. The Society was involved in various developmental activities in and around Someswaram village and also in the surrounding villages. Though he sought permission for construction of a new building for the Society, the second respondent did not grant any permission, but the new building was constructed by the Society in the month of May, 2017. It was inaugurated by the local Member of Legislative Assembly (MLA) and Chairman of the District Cooperative Central Bank on 14.06.2017.

There were certain allegations relating to the conduct of the affairs of the Society and a preliminary enquiry was conducted by the Senior Inspector, Sub Division, Ramachandrapuram, and a special report was also submitted by the Assistant Registrar, Sub Division, Alamuru on conduct of Final Audit for the year 2015-16. The Divisional Cooperative Officer also addressed a letter on 15.05.2017 and on the basis of the entire material, the second respondent came to the conclusion that an enquiry under Section 51 of the Andhra Pradesh Cooperative Societies Act, 1964, is required to examine all aspects of the case in detail, fix up specific responsibility in respect of financial/administrative irregularities and misappropriation of funds in the Society, if any proved on the persons responsible to the said items. Since it is only an enquiry and the enquiry

cannot be interdicted by this Court in exercise of its extraordinary powers under the Constitution of India.

The writ petition is accordingly dismissed. Consequently, miscellaneous petitions pending, if any, shall stand closed.

A.RAMALINGESWARA RAO, J

07.07.2017
pln

