

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

CONTEMPT CASE No.580 OF 2017

ORDER:

This Contempt Case is filed under Sections 10 to 12 of the Contempt of Courts Act, 1971 complaining willful disobedience of the orders of this Court passed in W.P.No.6016 of 2017 dated 22.02.2017.

2. Heard Sri N.Bhupathi Gnaneshwar, learned counsel for the petitioner, and the learned Government Pleader for Cooperation (TS) appearing for the respondents.

3. The petitioner herein and others filed the main writ petition i.e., W.P.No.6016 of 2017 questioning the inaction on the part of the respondents in conducting elections. This Court, on 22.02.2017, disposed of the said writ petition directing respondent Nos.1, 2 and 4 to take appropriate action on the representations, dated 02.02.2017, 09.02.2017 and 13.02.2017. In the present Contempt Case, it is the allegation of the petitioner herein that despite the said direction, the respondents are not acting on the representations filed by the petitioner herein and not holding the elections as per the A.P. Cooperative Societies Rules, 1964.

4. A counter-affidavit deposed by respondent No.3 is filed. Questioning the order of supersession, the Managing Committee members of the P.A.C.S., Kapugal filed W.P.No.43367 of 2016 before this Court and this Court disposed of the said writ petition on 19.12.2016 granting *status quo* for a period of four (4) weeks while giving liberty to the petitioners therein to file an appeal

against the orders of the District Cooperative Officer, Suryapet before the Cooperative Tribunal, Hyderabad within two (2) weeks. Pursuant to the said orders passed by this Court, the Managing Committee members of P.A.C.S., Kapugal filed C.T.A.No.46 of 2016 before the Cooperative Tribunal, Hyderabad and along with the said appeal, they also filed I.A.No.244 of 2016. The said interlocutory application was allowed by the Tribunal suspending the operation of the order of supersession. The said matter was carried in revision before this Court *vide* C.R.P.No.173 of 2017. This Court, by way of an order, dated 11.01.2017, allowed the said revision, setting aside the orders passed by the Tribunal in I.A.No.244 of 2016 and remanded the matter. It is also required to be noted that on 06.03.2017, the Commissioner for Cooperation and Registrar of Cooperative Societies, Telangana *vide* Rc.No.1118/2017/CR-2, dated 06.03.2017, observed that Sri M.Pandu Ranga Rao has taken charge as the President of the Society and continuing to be the Chairman of the DCCP, Nalgonda automatically. The said order was challenged in W.P.No.8922 of 2017 before this Court and this Court suspended the said order on 15.03.2017 in W.P.M.P.No.11054 of 2017. It is also brought to the notice of this Court that I.A.No.244 of 2016 was already heard and reserved for orders.

5. It is also the submission of the learned Government Pleader that in view of the pendency of the said appeal and the interlocutory application, the respondents are not in a position to proceed further with the elections.

6. This Court considered the said reason as a reasonable one and is of the considered opinion that there is no willful disobedience on the part of the respondents in implementing the orders of this Court.

7. For the aforesaid reasons, the Contempt Case is dismissed. There shall be no order as to costs.

8. Miscellaneous Petitions pending, if any, in this Contempt Case shall stand closed.

28.03.2017
AMD

JUSTICE A.V.SESHA SAI



THE HONOURABLE SRI JUSTICE A.V.SESHA SAI



CONTEMPT CASE No.580 OF 2017

Date: 28.03.2017

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