

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No. 14882 of 2017

ORDER:

Heard the learned counsel for the petitioners and the learned Government Pleader for the respondents.

In this writ petition, the petitioners have challenged the impugned show cause notice, dated 24.03.2017, issued by the 2nd respondent - Nutchupoda Fisherman Cooperative Society, asking the petitioners to show cause as to why their membership should not be cancelled pursuant to the resolution passed by its General Body.

The complaint of the petitioners is failure on the part of the 2nd respondent in enclosing a copy of resolution to the impugned show cause notice, which is mandatory as per the provisions of sub-section (2) of Section 23 of the A.P. Cooperative Societies Act, 1964, which reads as under:

“23. Expulsion of Members:- (2) No member shall be expelled under sub-section (1) without being given an opportunity of making his representation to the General Body. A copy of the resolution expelling the member shall be communicated to the member.”

In view of the above, the writ petition is disposed of directing the 2nd respondent to furnish a copy of the resolution to the petitioners before proceeding further with the matter pursuant to the impugned show cause notice.

Miscellaneous petitions, if any, shall also stand disposed of. No order as to costs.

A.V.SESHA SAI, J

Date: 25.04.2017
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