

HON'BLE THE CHIEF JUSTICE
SRI THOTTATHIL B. RADHAKRISHNAN
AND
HON'BLE SRI JUSTICE S.V.BHATT

W.P.No.4333 OF 2018

ORDER: (ORAL) (Per the Hon'ble Sri Justice S.V.Bhatt)

The writ prayer reads as follows:-

....this Hon'ble Court may be pleased to issue a Writ or order or directions particularly in the nature of Writ of Mandamus declaring the action of the Respondents 1 and 2 in not making any efforts to control the Law and Order by protecting the Petitioner and its members as well property of the Society i.e., land situated at Sy.No.25 part 1-9, Kancha Gachibowli from the high hand unsocial elements as illegal, arbitrary, contrary to law, much less unconstitutional, in the interest of justice and to pass..."

This Court *prima facie* is of the view that the petitioner Society invokes the jurisdiction of this Court under Article 226 for general directions to the respondents. The petitioner claims to be a Society registered under the Mutually Aided Cooperative Societies Act. The right of petitioner, if it is interfered with or disturbed the petitioner ought to institute substantive proceedings either under the bye-laws and/or before the Court of competent jurisdiction.

The averments in the affidavit do not persuade us to grant the relief as prayed for. However, liberty to move the competent Court or invoke its power under the Mutually Aided Cooperative Societies Act or bye-laws is preserved.

The writ petition is, accordingly, dismissed by preserving the liberty as granted above. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any pending,
stand closed.

THOTTATHIL B. RADHAKRISHNAN, CJ

S.V.BHATT, J

28th December, 2018

Prv

