

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.6428 of 2018

ORDER:

This Writ Petition is filed for the following relief:

“...to issue an appropriate Writ or order or direction more particularly writ of Mandamus, declaring the surcharge proceedings of the third respondent in Surcharge Case No. 664/2013-B dated 22.12.2017 directing the petitioner to pay Rs.7,84,090/- along with interest at 18% from date of sanction to date of realization, as illegal, arbitrary and contrary to Section 60 of the AP Cooperative Societies Act, 1964, and also contrary to the law laid down by this Hon'ble Court in Challa Sanyasinaidu v Deputy Registrar of Co-op Society, Srikakulam (1998 (1) ALD 455 (DB)) and consequently set aside the same.”

It is submitted by the learned counsel for the petitioner as well as the learned Government Pleader for Cooperation appearing for respondents 1 to 3 that the issue in the present Writ Petition is squarely covered by the common order, dated 05.02.2018 passed by this Court in Writ Petition Nos.3144 and 3191 of 2018.

Operative portion of the aforesaid common order is extracted as follows:

“In those circumstances, the impugned orders are set aside and both the Writ Petitions are allowed. The third respondent shall conduct *de novo* enquiry and

pass appropriate orders on merits strictly in accordance with law.”

Following the aforesaid common order and for the reasons stated therein, this Writ Petition is also allowed in terms thereof.

Miscellaneous Petitions, if any pending shall stand disposed of. There shall be no order as to costs.

CHALLA KODANDA RAM, J

28th FEBRUARY, 2018.

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