

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.39036 OF 2018

DATED :19.12.2018

Between :

K.Srinivasulu S/o.Hanumanthaiah,
Aged 50 yrs, R/o.Amistapur Village,
Boothpur Mandalam, Mahaboobnagar District.

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Petitioner

And

The State of Telangana,
Rep., by its Principal Secretary,
Agriculture & Cooperation (ccop.II) Department,
Telangana Secretariat Buildings,
Hyderabad & others.

...

Respondents



This court made the following :

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ORDER :

Heard learned counsel for the petitioner, learned Government Pleader for Cooperation for respondent No.1 and learned Government Pleader for Industries & Commerce for respondents 2 to 7.

2. Petitioner was elected as President of District Wool Weavers Processing Complex Coop.Society Ltd., Amistapur, Mahaboobnagar District, on 22.07.2012. The tenure of the elected body was for five years. After the expiry of tenure, on 21.07.2017, the persons in-charge Committee was appointed under Section 32 (7) of the Telangana Cooperative Societies Act. Challenging the appointment of official person in-charge, ignoring the petitioner, earlier he filed W.P.No.19458 of 2018. He placed reliance on the orders of the Government in G.O.Rt.No.95 dated 10.02.2018, which enables appointment of outgoing committee member as person-in-charge even after the tenure is over. The Court was informed that on 23.07.2017, petitioner submitted a representation for consideration of his case for appointment as person-in-charge and the same was not replied. Taking note of this submission and granting liberty to make further representation within a period of two weeks, the writ petition was disposed of. The Court also directed the competent authority to consider the application/representation, if made within the time granted in the order, and to pass orders within four weeks thereafter. Alleging non-consideration of the application/representation, in terms of the directions issued,

but extending the tenure of the person-in-charge for further period of six months, which expires on 21.01.2019, this writ petition is filed.

3. Having regard to the fact that the Court directed the petitioner to make a representation within two weeks from the date of receipt of copy of the order in W.P.No.19458 of 2018, this Court directed the petitioner to place on record, the representation stated to have been made. The matter underwent three adjournments. So far, the said representation is not placed on record.

4. It appears, no such representation was made. Even assuming that a representation was made, but the same was not acted upon, it would thus amounting to violating the directions of this Court issued in W.P.No.19458 of 2018. Furthermore, by 21.07.2017, the tenure of petitioner was over. Thereafter, Government appointed person-in-charge initially for a period of six months and that was extended subsequently and now the extension period would expire by 21.01.2019.

5. Having regard to these facts, this Court is not inclined to grant the relief as sought for by the petitioner in this writ petition.

6. Accordingly, the Writ Petition is dismissed. Pending miscellaneous petitions shall stand closed.

19th December, 2018
Rds

P.NAVEEN RAO,J