

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.44525 of 2018

ORDER:

This Writ Petition is filed assailing the action of the 2nd respondent in not considering the representation dated 15.11.2018 submitted by the 1st petitioner.

Admittedly, a perusal of the averments in the affidavit filed in support of the writ petition goes to show that there are disputes between the petitioners and the unofficial respondents and that the unofficial respondents have filed O.P.Nos.845 of 2017 and 116 of 2018 and the petitioners herein also filed suit i.e., OS No.377 of 2018 on the file of I Junior Civil Judge, Ranga Reddy District, at L.B.Nagar.

Learned Assistant Government Pleader for Revenue appearing for respondents 1 and 2 submits the disputes between the members Committee and the members of the society have to be decided as per Section 23 of the AP Societies Registration Act, 2001. Section 23 of the Act reads as follows:

“23. Dispute regarding management:

In the event of any dispute arising among the Committee or the members of the society, in respect of any matter relating to the affairs of the society, any member of the society may proceed with the dispute under the provisions of the Arbitration and Conciliation Act, 1996, or may file an application in the District Court concerned and the said Court shall after necessary inquiry pass such order as it may deem fit.”

In view of above, if at all petitioners has any grievance, they are having alternative remedy by approaching the competent District Court and same can be resolved under Section 23 of the Act.

In view of above facts and circumstances, this Court is not inclined to entertain the Writ Petition under Article 226 of the Constitution of India. If petitioners have any grievance, they can avail remedy under Section 23 of the Act.

With the above direction, this Writ Petition is disposed of granting liberty to the petitioners to avail alternate remedy under Section 23 of the A.P. Societies Registration Act, 2001. There shall be no order as to costs. Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

17-12-2018
kvs



A.RAJASHEKER REDDY,J

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