

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

W.P.No.12613 OF 2019

Date: 25.6.2019

Between:

Swamy Vivekananda Educational Society

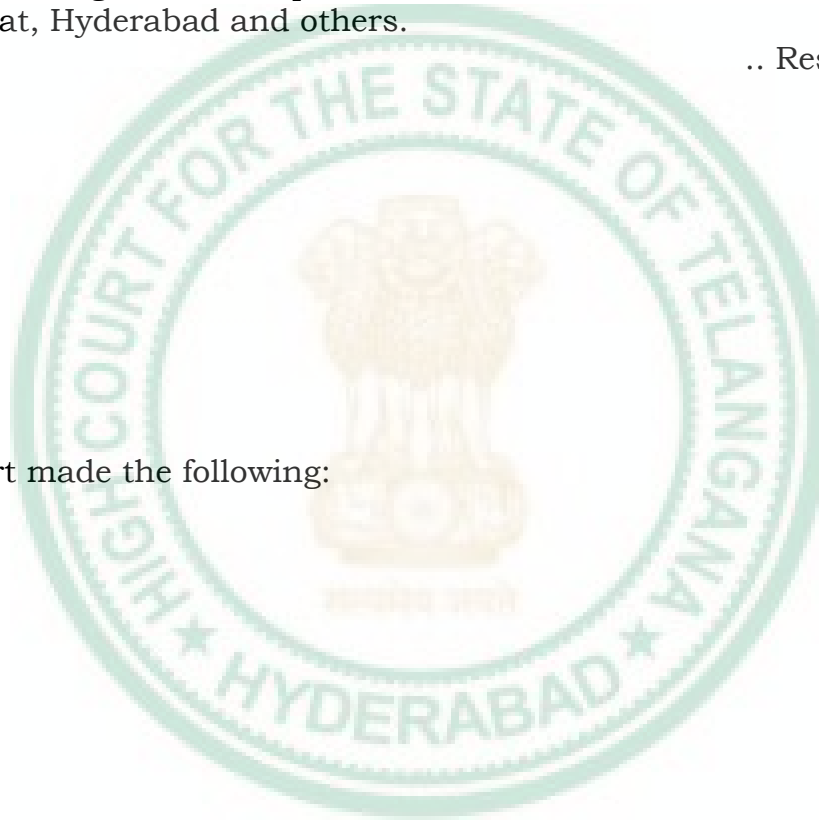
.. Petitioner

And

State of Telangana, rep. by its
Principal Secretary,
Society and Registration Department,
Secretariat, Hyderabad and others.

.. Respondents

The Court made the following:



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ORDER:

Heard learned counsel for petitioner and learned Government Pleader for Respondents 1 & 2 and perused material available on record.

2. Swamy Vivekananda Educational Society is a registered society with Registration No.38/1957-58. It appears that two rival groups are claiming as validly elected executive body to represent the society. Mr.K.Venkatesh, claiming to be tenant of the Society filed O.S.No.1504 of 2014 on the file of XXII Junior Civil Judge, City Civil Court, Hyderabad for perpetual injunction restraining the society from evicting him without following due process of law. In the said suit, the said J.P.Srinivasa Rao filed I.A.No.176 of 2017, claiming to be Secretary and Correspondent of Society, for change of counsel. The said I.A. was dismissed by order dated 10.4.2018 holding that the said J.P.Srinivasa Rao has failed to establish that as on the date of suit, he is continuing as Secretary of Society, therefore he has no authority to ask for change of counsel. Aggrieved thereby, C.R.P.No.3384 of 2018 was instituted before this Court and this Court while observing that whether P.J.Srinivasa Rao is continuing as Secretary-cum-Correspondent of the Society or some other person is continuing as such, as on the date of filing of petition, has to be decided by the trial Court, allowed the C.R.P. by order dated 29.6.2018 and remanded the matter to trial Court for consideration of I.A. No.176 of 2017 afresh.

3. It appears that Mr.M.Bagaiah, claiming to be President of Society, informed the Registrar of Societies about the change of

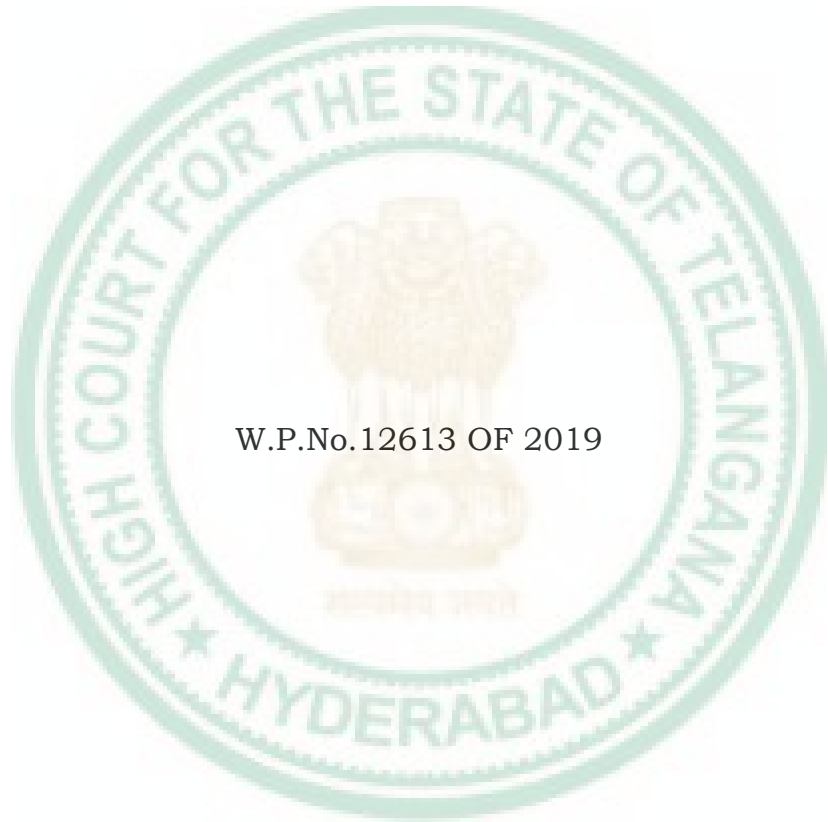
Executive Body by letter dated 28.7.2018. Thereafter, Mr.P.J.Srinivasa Rao, claiming to be the Secretary-cum-Correspondent, also addressed a letter dated 9.8.2018 to the District Registrar of Societies requesting to reject the application filed by Mr.M.Bagaiah. The Registrar of Societies, vide impugned letter dated 13.8.2018 advised both the parties to approach competent Court of law for declaration of claims since both the parties are claiming as representing the society. Therefore, he cannot be asked to involve in the internal disputes of the society. Having regard to pending litigation, I see no error in the impugned decision communicated vide letter dated 13.8.2018 of the Registrar of Societies.

4. Therefore, the writ petition is dismissed. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

Date: 25.6.2019
DA

P. NAVEEN RAO, J

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