

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION Nos.14648, 14670 and 14686 OF 2019

COMMON ORDER :

These writ petitions are filed challenging the Demand Notices vide ARC No.176/2018/RR, 181/2018/RR and 184/2018/RR respectively dt.29.09.2018, and Certificates dt.29.04.2019 issued under Section 71(2) of the Telangana Co-operative Societies Act 7 of 1964 (*for short 'the Act'*).

Learned counsel for the petitioners submits that the petitioners have paid the entire loan amount, but without considering the same, the 5th respondent issued proceedings dt.29.04.2019. He also submits that in pursuance to the said proceedings, the petitioners have approached the 5th respondent stating that the entire loan amounts have been paid, but no action has been taken. He further submits that when the entire loan amount is paid, question of demanding the amount does not arise; and that without issuing any notice the impugned certificates dt.29.04.2019 are issued.

On the other hand learned Government Pleader for Cooperation submits that petitioners have effective alternative remedy under Section 76 of the Act; that the impugned certificates issued under Section 71(2) of the Act has the effect of Civil Court decree; and that having issued the impugned certificates, 5th respondent cannot also revise the same.

The fact that the petitioners have alternative remedy under Section 76 of the Act is not disputed. Since it is stated that the petitioners have paid the

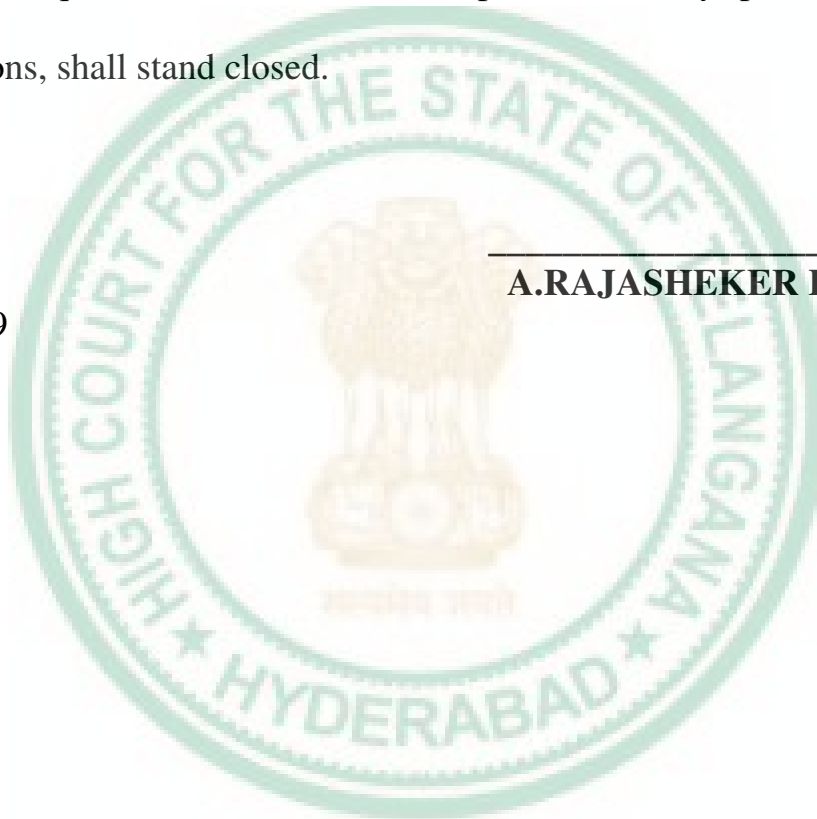
entire loan amount, the petitioners can by necessary evidence file an appeal before the Cooperative Tribunal and the Tribunal shall consider the same.

In view of the same, these writ petitions are disposed of granting liberty to the petitioners to approach the Co-operative Tribunal under Section 76 of the Act against the impugned certificates dt.29.04.2019. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in these writ petitions, shall stand closed.

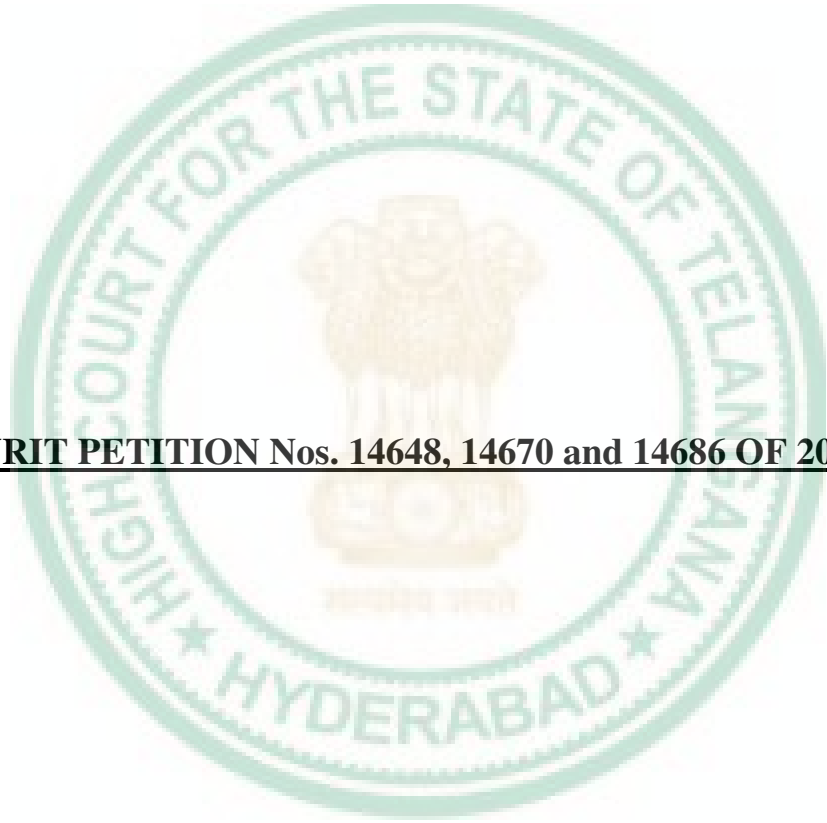
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A.RAJASHEKER REDDY, J



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