

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Civil Revision Petition No.2024 of 2019

ORDER:

This Civil Revision Petition, under Section 115 of C.P.C., is filed by the petitioner/plaintiff, challenging the order, dated 15.07.2019, passed in O.S.S.R.No.6409 of 2019 by the I Senior Civil Judge, City Civil Court, Hyderabad, whereby, the suit filed by the petitioner/plaintiff for rendition of accounts in respect of the sale proceeds received by the respondent/defendant Society from the sale of suit schedule property admeasuring about 10831.6 square yards/metres and also development agreement, was rejected.

2. Heard the learned counsel for the petitioner/plaintiff and perused the record.

3. The learned counsel for the petitioner/plaintiff would contend that the petitioner/plaintiff has got *locus standi* to file the suit even if he is not a member of the respondent/defendant Society. As per Section 15 of A.P. (Telangana Area) Public Societies Registration Act 1350 Fasli and Section 19 of the Societies Registration Act, 1860 (which are repealed by Act No.35 of 2001), any person may inspect all the documents pertaining to a registered Society and obtain certified copies of the same and those certified copies shall be *prima facie* evidence of matters therein contained in all legal proceedings whatever. The Court below erroneously passed the impugned order, which is unsustainable in law and ultimately

prayed to set aside the order under challenge and direct the Court below to register the suit and proceed with.

4. Section 15 of A.P. (Telangana Area) Public Societies Registration Act 1350 Fasli and Section 19 of the Societies Registration Act, 1860, which are repealed by Act No.35 of 2001, enables any person to inspect the documents pertaining to a registered Society and obtain certified copies of the registration. But that would not create any *locus standi* to such person to file a suit in the Court of law. There is no specific provision allowing such person to file a suit for rendition of accounts of such Society. As admitted by the revision petitioner/plaintiff, he is not a member of the respondent/defendant Society. There is no cause of action to the petitioner/plaintiff to file the suit. This aspect was elaborately dealt with by the Court below. In view of the same, the Court below is justified in passing the impugned order. The order under challenge does not suffer from any legal infirmity. The Civil Revision Petition is devoid of merit and is liable to be dismissed.

5. Accordingly, the Civil Revision Petition is dismissed. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Civil Revision Petition, shall stand closed.

17th September, 2019
Bvv

Dr. SHAMEEM AKTHER, J