

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITON Nos.19401, 19823 & 19729 of 2019

COMMON ORDER:

Since the issue involved in all these writ petitions is one and the same, they are being heard together and disposed of by way of this Common Order.

The petitioners in WP Nos.19401 and 19823 assailed the action of the 6th respondent-Joint Registrar/District Cooperative Officer, in not considering their representations for including their names in the voters list for participating the elections of the 7th respondent Housing Society.

The petitioners in WP No.19729/2019 assailed the action of the 3rd respondent-Joint Registrar/District Co-operative Officer, in issuing impugned proceedings vide Rc.No.3126/2015-H, dated 29.08.2019 forwarding the election proposal along with voters list to the 4th respondent-The State Co-operative Election Authority, without disposing of the objection petitions, contrary to the order dated 29.08.2019 in IA No.1 of 2019 in WP No.18629 of 2019 and also for consequential direction to the respondents 2 & 3 to take steps for conducting of elections to the 6th respondent Housing Society.

Heard Sri Krishna Murthy Devarakonda and Sri C.Damodar Reddy, learned counsel for the petitioners and Sri D.Balkishan Rao, learned counsel for the respondent Housing Society and learned Government Pleader for respondents 1 to 4.

This Court had considered the issues raised in these writ petitions in WP Nos.18629 of 2019 & batch elaborately and disposed of the same today by directing the Commissioner for Cooperation, to take steps for redressal of the grievance of the petitioners, who are members of the respondent Housing Society and also to take steps for conducting elections of the Housing Society.

This Court, by order dated 12.09.2019, granted interim stay of the proceedings in Rc.3126/2015-H, dated 29.08.2019 passed by the Joint Registrar/DCO in I.A.No.1 of 2019 in WP No.19729 of 2019.

Subsequently, learned Government Pleader for Cooperation produced proceedings of the Additional Registrar/State Cooperative Election Authority, vide Rc.No.644/SCEA/2019, dated 14.09.2019 stating that in view of objections from the members of respondent Housing Society and also in view of stay granted by this Court in IA No.1 of 2019 in WP No.18629 of 2019, dated 29.08.2019, they have returned the proposal for conducting of elections submitted by the Joint Registrar/DCO and also directed the Joint Registrar/DCO to examine each and every objection raised by the members of the society, with reference to original record of the Society and also to take necessary action on the representations, member wise duly following the procedure in vogue.

Since this Court had already considered the issues elaborately in WP Nos.18629 of 2019 & batch, for the reasons alike in the aforesaid Common Order, these writ petitions shall also be disposed of in terms thereof, directing the Commissioner for Co-operation to appoint new Official Person Incharge other than the present Joint Registrar/District Cooperative Officer, who issued impugned proceedings dated 18.06.2019 and 29.08.2019, for conducting elections to the respondent Housing Society, after redressing the grievances of the petitioners and other members of the society, in accordance with law.

Accordingly, writ petitions are disposed of directing the Commissioner for Co-operation to take steps for conducting of elections to the Housing Society either by himself or by appointing official PIC other than the Joint Registrar/DCO, within a period of two months, from the date of receipt of a copy of this order, by redressing the grievance of the writ petitioners, in accordance with law.

There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

27-09-2019

Note: Issue cc in two days.

B/o.kvs

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WRIT PETITION Nos.19401, 19823 & 19729 of 2019



Date 27.09.2019.

kvs