

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.23841 of 2019

ORDER:

This Writ Petition is filed with the following prayer:

“Hon’ble Court may be pleased to issue a Writ, Order or direction, more particularly one in the nature of Writ of Mandamus declaring the non furnishing of the relevant documents to the delinquent issuing of show-cause notice frequently kept pending since last 4 years and after retirement of the petitioner is illegal, unconstitutional and consequently direct the 3rd respondent to supplying copy the relevant documents requested by the petitioners duly cross examination those witnesses and permit him to examine his own witnesses by the delinquent by rebuttal should be allowed before an order under Section 60 of the T.S.C.S.1964 and pass such other order or orders as this Hon’ble Court may deem fit and proper in the circumstances of the case.”

Heard learned counsel for the petitioner, learned Government Pleader for Cooperation appearing for respondents 1 & 2, Sri S.Venkateshwar Reddy, learned Standing Counsel for 4th respondent.

Learned Government Pleader for Cooperation and learned Standing Counsel for respondent No.4 submits that the impugned orders dated 15.10.2019 vide Rc.No.299/2019-B and 19.10.2019 vide Rc.No.299/2019-B have been passed under Section 60(1) of the Telangana State Cooperative Societies Act, 1964 (for short ‘the Act of 1964’).

On the other hand, learned counsel for the petitioner submits that without supplying the copies of the documents relied on by the respondents in the show cause notice, they have passed impugned orders, which is in violation of the Section of the 60 of the Act. In support of his contention, he relied on the judgments reported in **Challa Sanyasinaidu v. Deputy Registrar of Co-**

op.Society, Srikakulam¹, Kadavakollu Ramulu v. Commissioner for Co-operation and Registrar of Cooperative Societies, A.P, Hyderabad² and Sammeta Rama Subba Rao v. President, Kaikaluru Irrigation and Power Department Sub-Divisional Employees Co-op. Credit Society Ltd.,³

Learned Government Pleader for Cooperation as well as learned Standing Counsel for respondent No.4 submits that the petitioner has alternate remedy against impugned orders dated 15.10.2019 and 19.10.2019 and also submits that the petitioner has not challenged the aforesaid orders, as such, the cause in the writ petition does not survive for consideration.

When the same is pointed out to the learned counsel for the petitioner, he went on arguing the matter. In the absence of any challenge to the impugned orders dated 15.10.2019 and 19.10.2019 by the petitioner, no relief can be granted in this writ petition, and the same becomes infructuous.

Accordingly, this Writ Petition is dismissed granting liberty to the petitioner to challenge the impugned orders dated 15.10.2019 and 19.10.2019 passed by the respondents. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending shall stand dismissed.

A.RAJASHEKER REDDY, J

11-11-2019
kvs

¹ 1998 (1) ALD 455 (DB)

² 1998 (1) ALD 460

³ 1994 (2) ALT 39

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