

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.27937 OF 2019

Dated:17.12.2019

Between:

Pokala Revathi and others

.. Petitioners

And

District Registrar & Registrar of
Societies, Nalgonda, Telangana State
And others

.. Respondents



This Court made the following:

THE HON'BLE SRI JUSTICE P.NAVEEN RAO**WRIT PETITION No.27937 OF 2019****ORDER:**

Heard learned counsel for the petitioners, learned Government Pleader for Stamps and Registration for respondents 1 to 3 and Sri V. Brahmaiah Chowdary, learned counsel for respondent No.4.

2. Petitioners claim to be the members of Sri Sai Educational Society – 4th respondent, bearing Registration No.568 of 2007. In substance, the grievance of the petitioners is that there are no elections conducted to the Executive Body of the Society. The unofficial respondents 5 to 9 are acting as representatives of the society, though their term was over long ago and no elections were conducted and they are not entitled to represent the affairs of the society. Petitioners also have a grievance on recent Annual List filed by those persons in the name of respondent No.4 – society cumulatively for 12 years at once and even though S.O.P. No.1 of 2019 is pending in the Court of II Additional District Judge, Nalgonda. Petitioners therefore seek *mandamus* to declare that the self-proclaiming executive body of respondent No.4 – society represented by respondents 5 to 9 is defunct, as the society has never conducted elections and the first executive body is never re-elected by appointing an advocate receiver to conduct the elections at the earliest after duly verifying the eligible members to vote; to declare the action of respondent No.1 in accepting the documents and annual lists for the last 12 years at once on 25.10.2019 that too after the petitioners have filed S.O.P.No.1 of 2019, as illegal. In other words, the grievance of the petitioners is

against the functioning of respondents 5 to 9 as Executive Body of respondent No.4 – Society and the alleged illegalities committed by them.

3. Raising the grievances of such conduct by respondents 5 to 9 and not conducting elections to the Executive Body of the society, petitioners filed S.O.P.No.1 of 2019 praying to declare that the respondents therein are no more the Office Bearers of respondent No.4 - society and to conduct elections to the Executive Committee by appointing an Advocate Commissioner as per the Memorandum of Rules and the Regulations of the society. Thus, this very issue is pending in S.O.P. before the competent Court. The relief sought in this Writ Petition is nothing but duplication of the prayer sought in S.O.P. and the grievance agitated in the said case. No grievance is expressed against non-exercise of powers by the competent authority or the Government and primarily the grievance is against functioning of respondents 5 to 9 representing as the Executive Body of respondent No.4 – society. Thus, the prayer sought in the Writ Petition is not maintainable on the grounds noted above.

4. The Writ Petition is accordingly dismissed granted liberty to the petitioners to work out their remedies in the pending S.O.P.No.1 of 2019. Miscellaneous petitions, if any, shall stand closed.

P. NAVEEN RAO, J

Date:17.12.2019

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