

THE HON' BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.31527 of 2018

ORDER:

This writ petition is filed seeking a Writ of Mandamus alleging that the 2nd respondent is not considering the representation made by the petitioner on 04.08.2018 whereunder he requested for payment of arrears of dividend from the 4th respondent-Toddy Tappers' Cooperative Society.

The assertions in the writ affidavit are to the effect that on 04.08.2018, the petitioner made a representation to the 2nd respondent-Prohibition and Excise Superintendent regarding payment of arrears of dividend to the members of the 4th respondent-Society, but the same has not been disposed of.

A counter affidavit is filed stating that with respect to the payment or non-payment of dues, Excise officials has nothing to do as it is the internal affair of the Society governed by the Bylaws and Regulations of the Society. Further, as per the enquiry made with the Society, the President of the Society informed that whatever money has been received in the Society, the same was distributed to various stakeholders like Toddy tappers, transporters who bring toddy, people who shift bottles and the sales persons. As the said amount has already been distributed to various stakeholders and there being no money with the Society, certain payments have become due and the same has been intimated to the petitioner through communication dated 08.09.2018.

Inasmuch as the grievance of the petitioner with regard to the non-consideration of representation having been complied with, no further orders are required on that behalf. However, the further grievance of the petitioner is that the accounts of the 4th respondent Society have not been audited, in

terms of the Cooperative Societies Act, the petitioner is entitled to approach the competent authority and such authority is duty bound to take necessary steps in accordance with law.

The writ petition is disposed of accordingly. No costs. Miscellaneous petitions, if any pending, shall stand closed.

JUSTICE CHALLA KODANDA RAM

06th February, 2019

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