

THE HON'BLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION No.472 of 2020

ORDER:

This writ petition is filed seeking to declare the action of the 3rd respondent in calling the new members into the society, *vide* Notice in Rc.No.A/975/2018 dated 05.12.2019, without consulting the present Managing Committee and without obtaining the resolution of the General Body of the petitioner society, as being illegal and arbitrary.

2. Heard the learned counsel for the petitioner and the learned Government Pleader for Social Welfare.

3. Learned counsel for the petitioner submits that the 3rd respondent authority is not competent to call for the applications or to admit new members into the society, since the tenure of the present General Body and the members of the petitioner society are in existence till 14.10.2021.

4. On the other hand, learned Government Pleader for Social Welfare submits that the present General Body of the society has been superseded by the proceedings, dated 15.10.2018, issued by the 2nd respondent, whereby the 2nd respondent appointed the 3rd respondent as Person-in-Charge to manage the affairs of the petitioner society. Learned AGP further submits that the 3rd respondent issued the impugned notice, dated 05.12.2019, wherein, as per Byelaw No.6, he has only called for applications from eligible persons, who have attained the age of 18 years and are residing in Boyawada and New Dhobiwada, Karimnagar, for membership into the said society, which will be considered as per the byelaws of the said society, whereupon only membership would be issued.

5. Having regard to the fact that the impugned notice itself indicates that the membership would be granted as per the byelaws of the petitioner society and also considering the fact that the Managing Committee of the petitioner society having been superseded and placed in the hands of Person-in-Charge, the objection of the petitioner society in the present writ petition as to the said Managing Committee being not consulted, is without basis and the writ petition is without merit.

6. The writ petition is accordingly dismissed. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

Date:08.01.2020

GJ

JUSTICE T.VINOD KUMAR

