

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)

FRIDAY ,THE ELEVENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY
WRIT PETITION NO: 7430 OF 2022

Between:

Alladi Srinivas, S/o. Narsimulu, Aged 55 years, Occ. Business,
R/o.H.No.1-2-566, Prakasham Road, Koratla, Jagtial District, T.S.

...PETITIONER

AND

1. The State of Telangana Rep.by Its Commissioner and Inspector General of Registration and Stamps Department, Secretariate, Hyderabad.
2. The Registrar of Societies, Registration and Stamps Department, Hyderabad (South).
3. Arya Vysya Mahasabha of Telangana State, Rep.by its President Amaravadhi Laxminarayana, S/o, Not known, Aged about 60 yrs., R/o. H.No. 6-2-648, Chintalabasti, Khairathabad, Hyderabad-500004.
4. Pulluri Satyanaryana, S/o. Shankaraiah, Aged about 57 yrs., President District Arya Vysya Mahasabha, Jagtial, T.S.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus, declare the action of the Respondent No. 4 in issuing Election Notification dated. Nil for the post of president of Arya Vysya Mahasabha of Jagtial District, as is

illegal, arbitrary and unconstitutional, being contrary to the existing By Laws of Arya Vysya Mahasabha of Telangana State Registered No.363/2015 under Telangana Societies Act, 2001 (Act.No.35 of 2001) and also violation of Article 14 ,16 and 19 of the Constitution of India and set aside the same and consequently thereto direct the Respondent No. 2 and 3 to stay the Election Notification issued by the Respondent No.4

IA NO: 1 OF 2022

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondent No. 2 and 3 to stay the Election Notification issued by the Respondent No.4

Counsel for the Petitioner :SRI. MR BOGGULA RAJU

Counsel for the Respondent Nos .1 to 2: GP FOR STAMPS AND

REGISTRATION Counsel for the Respondent Nos .3 and 4 : -----

The Court made the following : ORDER

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION No.7430 OF 2022

ORDER:

Heard learned counsel for the petitioner and the Assistant Government Pleader for Stamps and Registration.

2. Admittedly, the 3rd respondent society is registered under the provisions of Telangana Societies Registration Act, 2001 (for short, 'the Act, 2001'). There is a forum provided under Section 23 of the Act, 2001 for adjudication of disputes with regard to the business of the society which includes election disputes. If the petitioner has got any grievance in connection with the impugned election notification, the effective remedy available for the petitioner was under Section 23 of the Act, 2001. Instead the petitioner has approached this Court by way of writ petition.

3. It is submitted by the learned counsel for the petitioner that election is being conducted contrary to the by-laws of Telangana State Arya Vysya Mahasabha, which is a society registered vide registration bearing No.363 of 2015.

4. In the opinion of this Court, if there is any grievance against the 3rd respondent society registered under the Act, 2001, the petitioner has to approach the competent Court under Section 23 of the Act, 2001. In view of the same, this writ petition is liable to be dismissed as there is effective alternate remedy available to the petitioner.

5. Accordingly, the Writ Petition is dismissed. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition, shall stand closed.

**SD/-L.SIVA PARVATHI
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SRI M/s .BOGGULA RAJU ,Advocate [OPUC]
2. Two CCs to GP FOR STAMPS AND REGISTRATION (TG) ,High Court for the State of Telangana. [OUT]
3. Two CD Copies
4. One Spare Copy.

PC
BS



HIGH COURT

DATED:11/02/2022

ORDER

WP.No.7430 of 2022



**DISMISSING THE WRIT PETITION
WITHOUT COSTS**

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014/3/2022