

[3311]

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THURSDAY, THE SECOND DAY OF FEBRUARY
TWO THOUSAND AND TWENTY THREE

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE UJJAL BHUYAN
AND
THE HONOURABLE SRI JUSTICE N.TUKARAMJI**

WRIT APPEAL NO: 148 OF 2023

Writ Appeal under Clause 15 of the Letters Patent preferred against the order dated 16/11/2022 in the W.P.No.41145 of 2022 on the file of the High Court.

BETWEEN:

Y.V.Manyavasi S/o. Venkata Subbaiah,
Aged about 45 years, Occ: Film Co-Director
R/o. L-25-405, Chitrapuri Colony,
Manikonda Jagir, Gandipet Mandal,
Ranga Reddy District-500104.

...Appellant

AND

1. The State of Telangana rep. by
its Principal Secretary, Cooperative Department,
Boorgu Rama Krishna Rao Bhavan,
Liberty Road, Hyderabad – 500029,
Telangana State.
2. The Commissioner & Registrar,
Co-operative Societies, 3rd Floor,
Gruhakalpa, Nampally,
Hyderabad – 500001.
3. The District Co-operative Officer,
Ranga Reddy District, 7th Floor,
Gagan Vihar, Nampally,
Hyderabad – 500001.
4. Telugu Cine Workers Cooperative Housing
Society, TBC 608, Chitrapuri Head Office,
Chitrapuri Colony, Hyderabad – 500104
represented by its President
Sri Anil Kumar Vallabhaneni

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5. Sri Anil Kumar Vallabhaneni,
S/o Sri V.Nageshwar Rao,
Aged about 41 Years, Occ: Movie Artist,
R/o Chitrapuri Head Office, Telugu Cine Workers Cooperative
Housing Ltd., Chitrapuri Colony,
Hyderabad – 500104
6. Sri Y. Praveen Kumar Yadav,
S/o Sri V. Srisailam Yadav,
Aged about 35 Years, Occ: Movie Artist,
R/o Chitrapuri Head Office, Telugu Cine Workers Cooperative
Housing Ltd., Chitrapuri Colony,
Hyderabad – 500104
7. Sri Kadambari Kiran,
S/o Sri K.V.Satyanarayana Murthy,
Aged about 59 Years, Occ: Movie Artist,
R/o Chitrapuri Head Office, Telugu Cine Workers Cooperative
Housing Ltd., Chitrapuri Colony,
Hyderabad – 500104
8. Sri A.Mahananda Reddy,
S/o Sri A.Gopal Reddy,
Aged about 52 Years, Occ: Movie Artist,
R/o Chitrapuri Head Office, Telugu Cine Workers Cooperative
Housing Ltd., Chitrapuri Colony,
Hyderabad – 500104
9. Sri Raghu Batthula, S/o B.Lakshman,
Aged about 47 Years, Occ: Movie Artist,
R/o Chitrapuri Head Office, Telugu Cine Workers Cooperative
Housing Ltd., Chitrapuri Colony,
Hyderabad – 500104
10. Sri P.S.N.Satyanarayana Dora,
S/o Sri Parasu Ramulu, Aged about 55 Years,
Occ: Production Executive, Secretary of Telugu Cine Workers
Co-operative Housing Society R/o Chitrapuri Head Office,
Telugu Cine Workers Cooperative, Housing Ltd.,
Chitrapuri Colony, Hyderabad – 500104

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11. Smt. T. Lalitha, W/o Sri T. Laxman,
Aged about 50 Years, Occ: Production Assistant,
Treasurer of Telugu Cine Workers
Co-operative Housing Society, R/o Chitrapuri Head Office,
Telugu Cine Workers Cooperative
Housing Ltd., Chitrapuri Colony,
Hyderabad – 500104.

...Respondents

Counsel for the Appellant: SRI. S. RAM BABU

**Counsel for the Respondent Nos.1 to 3: MS. G. JYOTHI KIRAN
GP FOR COOPERATION**

Counsel for the Respondent No.4: SRI K. RAVI CHANDRA MOHAN

Counsel for the Respondent Nos.5 to 11: NONE APPEARED

The Court delivered the following: JUDGMENT

THE HON'BLE THE CHIEF JUSTICE UJJAL BHUYAN

AND

THE HON'BLE SRI JUSTICE N. TUKARAMJI

WRIT APPEAL No.148 of 2023

JUDGMENT: *(Per the Hon'ble the Chief Justice Ujjal Bhuyan)*

Heard Mr. S.Ram Babu, learned counsel for the appellant; Ms. G.Jyothi Kiran, learned Government Pleader for Cooperation appearing for respondents No.1 to 3; and Mr. Kadiyala Ravi Chandra Mohan, learned counsel for respondent No.4.

2. This appeal is directed against the order dated 16.11.2022 passed by the learned Single Judge disposing of W.P.No.41145 of 2022 filed by the appellant as the writ petitioner.

3. Appellant had filed the related writ petition praying for the following relief:

To issue a writ or order or direction more particularly one in the nature of writ of mandamus
i) directing the official respondents to appoint an official administrator by superseding the present Management

Committee ii) to expel the management committee i.e. Respondents No. 5 to 11 as members of the society; iii) direct the Respondents No. 2 to conduct detailed inquiry and to finalise the eligible members of the society before conducting the elections; iv) direct the official respondents to conduct the elections within a period of 6 months from the date of suppression; v) and to pass such other orders as this Hon'ble Court deem fit and proper in the facts and circumstances of the case and in the interest of justice.

4. After advertng to the rival submissions made at the bar, learned Single Judge noticed that appellant had submitted a representation before respondents No.2 and 3 on 17.01.2022 highlighting his grievances vis-à-vis functioning and state of affairs in the Telugu Cine Workers Cooperative Housing Society. Accordingly, learned Single Judge disposed of the writ petition by directing respondents No.2 and 3 to consider the representation dated 17.01.2022 of the appellant within a period of five weeks from the date of receipt of a copy of the said order.

5. Assailing the aforesaid order, learned counsel for the appellant submits that learned Single Judge had

overlooked the statutory provisions of the Telangana Cooperative Societies Act, 1964, as well as the statutory enquiry report under Section 51 of the aforesaid Act.

6. Learned Government Pleader for Cooperation has however placed before us a copy of the order dated 07.01.2023 passed by the District Cooperative Officer, Ranga Reddy District, disposing of the representation dated 17.01.2022 filed by the appellant.

7. Learned counsel for respondent No.4 submits that subject matter of the writ petition and the writ appeal is also the subject matter in C.T.A.No.17 of 2021, which is pending before the Cooperative Tribunal at Hyderabad.

8. That being the position, we are not inclined to entertain the writ appeal. If the appellant is aggrieved by the subsequent order dated 07.01.2023, it is open to the appellant to avail his legal remedy or pursue the proceedings before the Cooperative Tribunal.

9. Subject to the above, writ appeal is dismissed.

Miscellaneous applications pending, if any, shall stand closed. However, there shall be no order as to costs.

SD/-CH.VENKATESWARULU
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to Sri S. Ram Babu, Advocate [OPUC]
2. Two CCs to GP for Cooperation, High Court for the State of Telangana at Hyderabad. [OUT]
3. One CC to Sri K. Ravi Chandra Mohan, Advocate [OPUC]
4. Two CD Copies

CHR

BS

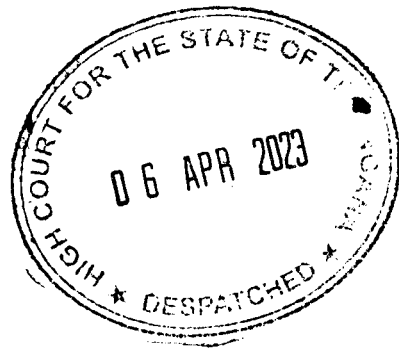
BSR

HIGH COURT

DATED:02/02/2023

JUDGMENT

W.A.No.148 of 2023



**DISMISSING THE WRIT APPEAL
WITHOUT COSTS**

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28/03/23
BSR