

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD
(SPECIAL ORIGINAL JURISDICTION)

WEDNESDAY THE SEVENTEENTH DAY OF MARCH TWO THOUSAND AND
FOUR

: PRESENT :

THE HON'BLE MR.JUSTICE: **S.ANANDA REDDY**

W.P. No.5146 of 2004

Between:

1. J.John David
2. B.Krishna
3. B.Ravindranath
4. R.D.Bangari
5. Shaik Imam
6. G.Anjaiah
7. O.Lakshmaiah
8. G.Venkateswarlu
9. S.Bhoopal Reddy
10. Ch.Yadaiah
11. K.Shankar
12. I.Narasimha
13. K.Krishnaiah
14. A.Pratap
15. T.Rajendra Prasad.

Petitioners

AND

1. Divisional Cooperative Officer, Hyderabad (West), Ranga Reddy District, Mehdiapatnam, Hyderabad.
2. The Person-in-charge, The BHEL (MIG) Employees Cooperative Housing Society Ltd., Phase-I, Registered No. TBC 724, Ramachandrapuram, Ranga Reddy District.

Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein, the High Court will be pleased to issue a writ order or direction more particularly one in the nature of Writ of MANDAMUS, declaring the action of the 1st respondent through his proceedings dated: 28-10-2003 in RC.NO. 3222/2002 P and the consequential proceedings of the 2nd respondent dated. 29-10-2003 in RC.NO. 3222/2003 CSR(O) as illegal, arbitrary, unconstitutional, without any power or authority or jurisdiction consequently set aside the same.

The Petition coming on for hearing upon perusing the petition and affidavit filed herein and upon hearing the arguments of Mr. T.Rajendra Prasad, Advocate for the Petitioners and of G.P. for Co-operation, on behalf of the Respondent No.1.

The Court while observing from the material placed before this court, it appears that the first respondent gave a communication to the Second respondent by his letter dated. 28-10-2003, directing the Second respondent to cancel the plots allotted to the staff and workers of the society as well as for temple/church/mosque.

In terms of the said letter, the second respondent, passed the order canceling the allotment of the plots. But, the said letter issued by the first respondent does not contain any reasons or material on which such a direction was issued. Therefore, the first respondent is directed to place before this court, the material basing on which the said letter dated 28-10-2003 was issued. The said direction is to be complied with, within a period of ten days from today.

So, for the same the first respondent is directed to appear before this court on 29-03-2004 at 10.30 A.M. alongwith the material.

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Therefore you namely,

The Divisional Cooperative Officer, Hyderabad (West), Ranga Reddy District, Mehdipatnam, Hyderabad.

be and hereby is directed to appear before this court on 29-03-2004 at 10.30 a.m. alongwith the material.

And it is further directed to post the matter on 29-03-2004 for appearance of the first respondent.

ASSISTANT REGISTRAR

// TRUE COPY //
for ASSISTANT REGISTRAR

To

1. The Divisional Cooperative Officer, Hyderabad (West), Ranga Reddy District, Mehdipatnam, Hyderabad.
(**By Spl. Messenger with a direction to appear before this court on 29-03-2004 at 10.30 am along with the material**)
2. The Person-in-charge, The BHEL (MIG) Employees Cooperative Housing Society Ltd., Phase-I, Registered No. TBC 724, Ramachandrapuram, Ranga Reddy District.
3. Two CCs to G.P. for Co-operation, High Court of A.P., Hyderabad. (**By Spl. Messenger**)
4. One spare copy.

SAH