

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH  
AT HYDERABAD  
(Special Original Jurisdiction)

THURSDAY, THE THIRTY FIRST DAY OF JULY  
TWO THOUSAND AND EIGHT

PRESENT  
**THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY**  
**WRIT PETITION NO : 18215 of 2005**

Between:

- 1 Kusampudi Jithendra Varma S/o. Vishnu Vardhan Raju  
R/o.Ramanagaram Nagar Pattalavanipalem, Guntur District.
- 2 Kammineni Swarajya Lakshmi W/o.Veera Nageswara Rao  
R/o.Turlapadu, Guntur District.
- 3 Nallapureddy Padmavathi W/o.Venkateswara Reddy  
R/o.Kambhampadu, Macherla Mandal, Guntur District.

**..... PETITIONERS**

AND

- 1 The Guntur District Milk Producers Mutually Aided Cooperative  
Society Ltd., Vadlamudi Guntur District.
- 2 Koppakula Narayana is the Election Officer The Guntur District Milk  
Producers Mutually aided Cooperative Society Ltd., Vadlamudi,  
Guntur District.
- 3 Anche Maruthi Vara Prasad S/o.Muttaiah  
R/o.Emani Village, Duggirala Mandal Guntur District.

**....RESPONDENTS**

**Counsel for the Petitioners:SMT JYOTHI ESWAR GOGINENI FOR  
MR.B.V.SUBBAIAH**

**Counsel for respondents 1 & 2: MR V.V.PRABHAKARA RAO**

**Counsel for respondent No.3: MR.A.RAJENDRA BABU**

**The Court made the following :**

**ORDER:**

At the interlocutory stage, the writ petition is taken up for hearing and disposal with the consent of the learned counsel for the parties.

This writ petition is filed for a writ of Certiorari to quash order dated 20-06-2005 passed in O.P.No.13 of 2003 by the Andhra Pradesh Cooperative Tribunal, Vijayawada, Krishna District (for short 'the Tribunal').

A perusal of the record reveals that the petitioners were elected as directors of respondent No.1-society on 29-09-2002. Questioning their election, respondent No.3 filed O.P.No.13 of 2003 before the Tribunal, which by its order dated 20-06-2005 set aside the election of the petitioners. This Court by order dated 18-08-2005 granted interim suspension of the order of the Tribunal and the same is in force. Under first proviso to Section 21 (3) of the Andhra Pradesh Mutually Aided Cooperative Societies Act, 1995, the term of a director shall not exceed five years. It is admitted, at the hearing, that the said five-years-term of all the three petitioners had expired by 29-09-2007. Therefore, the cause in the writ petition does not survive for consideration.

Hence, the writ petition is dismissed as infructuous.

As a sequel to dismissal of main petition as infructuous, WVMP No.2431 of 2005 is disposed of as infructuous.

**C.V.NAGARJUNA REDDY, J**

Dated 31<sup>st</sup> July, 2008  
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