

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY THIRD DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 122 of 2005

Between:

- 1 G.Ramavatharam s/o.late G.Banaiah
Balanagar, Hyderabad 42.
- 2 T.A.Sudershan S/o.late TSA Swamy
Ganganmahal Colony, Hyderabad 29.
- 3 A.R.K.Chowdary S/o.late A.Rama Mohana Rao
Balanagar, Hyderabad 42.
- 4 T.Narsing Rao S/o.late T.Packeeraiah
Balanagar, Hyderabad 42.

..... PETITIONERS

AND

- 1 Commissioner for Cooperation&Registrar of Coop Societies Andhra Pradesh
Nampally,Hyderabad-1.
- 2 Joint Registrar/District Cooperative Officer Ranga Reddy Dist
Hyderabad.
- 3 The Deputy Registrart of Coop Societies Divisional Cooperative Officer
Ranga Reddy Dist. Hyderabad.
- 4 Hindustan Aeronautic Employees Cooperative Credit Society Ltd., TBC 187
Hyderabad 500 042.

.....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 in the nature of writ of Mandamus declaring the failure on the part of the 1st respondent i.e. the Commissioner for Cooperation &Registrar of Cooperative Societies A.P. Hyderabad, in not ensuring timely audit of the accounts of the Hindustan Aeronautics Employees Cooperative Credit Society Ltd., TAB 187 Hyderabad and allowing arrears of audit accumulated right from the year 1991-92 as patently arbitrary, high handed besides being contrary to the Section 50 of the A.P.Coop Societies Act 7 of 1964 r/w Rule 45 of A.P. Cooperative Societies Rules 1964 and pass such other order or orders.

Counsel for the Petitioner: MR.D.V.BHADRAM

Counsel for the Respondents 1 to 3: GP FOR COOPERATION

Counsel for the Respondent No.4: Mr. P.B. Vijayakumar

The Court at the stage of admission made the following :

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ORDER:

Heard both sides and at their request, this Writ Petition is taken up for disposal at the stage of admission.

In this Writ Petition, the petitioners are seeking a writ of Mandamus declaring the action of the first respondent in not ensuring timely audit of the accounts of the Hindustan Aeronautics Employees Cooperative Credit Society Limited, Hyderabad right from the year 1991-92 as patently arbitrary, high handed besides being contrary to the Section 50 of the A.P. Cooperative Societies Act, 7 of 1964 (for short 'the Act') r/w Rule 45 of A.P. Cooperative Societies Rules, 1964.

No doubt, the society has to get its accounts audited periodically, which is mandatory in nature as per the provisions of the Act. The petitioners contend that in spite of representation-dated 21.9.2004, being made to the first respondent, no steps have been taken by the first respondent to get the accounts of the society audited.

Under those circumstances, the Writ Petition is allowed with a direction to the first respondent to dispose of the representation said to have been made by the petitioners on 21.9.2004 and to ensure early finalization of audit of the 4th respondent-Society, preferably within a period of six months from the date of receipt of a copy of this order. No costs.

D.S.R. VARMA, J

DATED: 23.03.2005

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To

- 1 Commissioner for Cooperation&Registrar of Coop Societies Andhra Pradesh Nampally,Hyderabad-1.
- 2 Joint Registrar/District Cooperative Officer Ranga Reddy Dist Hyderabad.
- 3 The Deputy Registrart of Coop Societies Divisional Cooperative Officer Ranga Reddy Dist. Hyderabad.
- 4 Hindustan Aeronautic Employees Cooperative Credit Society Ltd., TBC 187 Hyderabad 500 042.

5. Two CCs to G.P.for Cooperatives, High Court of A.P., Hyderabad (OUT)

6. 2 CD copies.

