

**(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT FOR THE STATE OF TELANGANA,
AT HYDERABAD**

TUESDAY ,THE FIRST DAY OF JULY

TWO THOUSAND AND TWENTY FIVE

**:PRESENT:
THE HONOURABLE SMT JUSTICE T.MADHAVI DEVI**

WRIT PETITION NO: 17469 OF 2025

Between:

1. Koppula Upendranath, S/o. K. Laxmaiah.
2. Chintala Om Prakash, S/ o. Kasaiah.

Petitioners

AND

1. The State of Telangana, Rep. by its Principal Secretary, Co- operation Department, Secretariat, at Hyderabad.
2. The Director for Cooperation and Registrar Of Co- Operative Societies, Gruhakalpa Buildings, Station Road, Hyderabad.
3. The Joint Registrar of Co- operative Societies / District Co- operative Officer, Near DRDA Office, Bus Depot Road, Khammam.
4. Deputy Registrar of Co- operative Societies/ Officer on Special Duty, Khammam District Co-operative Central Bank Ltd., Khammam.
5. The District Co- operative Central Bank Ltd, M.G. Road, Gandhi Chowk, Khammam, Rep by its Chief Executive Officer.

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 declaring the action of the 2nd Respondent in directing to conduct Section 51 Enquiry by passing Orders dated 19.11.2024 and the consequential Enquiry Report Under Sec.51 dated 07.04.2025 of the 4th Respondent and the further direction of the 2nd Respondent in his Proceedings dated 29.04.2025 in initiating the Surcharge Proceedings under Section 60 by appointing the 4th Respondent as an Enquiry Officer and the Show Cause Notice dated 06.05.2025 of the 4th Respondent calling the Explanations of the Petitioners herein as being illegal, arbitrary, without jurisdiction and without competency as well as violations of the Provisions of the Telangana Co-operative Societies Act and also violative of Article

14, 21 and 300-A of the Constitution of India and consequently set a-side all the said proceedings as null and void ab initio in the interest of justice.

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to Stay all further proceedings in Pursuance .to the Proceedings dated 29.04.2025 of the 2nd Respondent initiating Surcharge Proceedings as well as the Show Cause Notice dated 06.05.2025 issued by the 4th Respondent against the Petitioners herein, Pending disposal of WP 17469 of 2025, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI A SURYANARAYANA Advocate for the Petitioners, GP FOR COOPERATION Advocate for the Respondent Nos. 1 to 3, And Sri Srinivas Polavarapu, Standing Counsel for District Cooperative Central Bank takes notice on behalf of respondents No.4 & 5, the Court made the following.

ORDER

Notice before admission.

Learned Government Pleader for Cooperation takes notice on behalf of respondents No.1 to 3 and waives further notice.

Sri Srinivas Polavarapu, learned Standing Counsel for District Cooperative Central Bank takes notice on behalf of respondents No.4 & 5 and waives further notice and seeks time to file counter.

Registry is directed not to take out notice to respondents No.1 to 5 in view of the above waiver.

Learned counsel for the petitioners submitted that in respect of respondents No.4 and 5, it is the District Collector, who has the power to issue notices or take action under Sections 51 and 60 of the Telangana Cooperative Societies Act, 1964 (for short "the Act"), whereas respondent No.2 has initiated action. Therefore, it is without jurisdiction.

Learned Government Pleader for Cooperation has obtained instructions in written and he is relying upon the provisions of Section 51 of the Act to submit that the Registrar has power to order enquiry under Section 51 of the Act.

However, this Court is of the opinion that this matter needs detail consideration.

For counters of the respondents, list this matter on 29.07.2025.

In order to protect the interest of the petitioners, *status quo* obtaining as on today shall be maintained by all the parties.


SD/-B.CHANDRA PRAKASH
DEPUTY REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary, Co- operation Department, State of Telangana, Secretariat, at Hyderabad. (by RPAD)
2. The Director for Cooperation and Registrar Of Co- Operative Societies, Gruhakalpa Buildings, Station Road, Hyderabad. (by RPAD)
3. The Joint Registrar of Co- operative Societies / District Co- operative Officer, Near DRDA Office, Bus Depot Road, Khammam. (by RPAD)
4. Deputy Registrar of Co- operative Societies/ Officer on Special Duty, Khammam District Co-operative Central Bank Ltd., Khammam. (by RPAD)
5. The Chief Executive Officer, District Co- operative Central Bank Ltd.,, M.G. Road, Gandhi Chowk, Khammam. (by RPAD)
6. One CC to SRI. A SURYANARAYANA Advocate [OPUC]
7. Two CCs to GP FOR COOPERATION ,High Court at Hyderabad. [OUT]
8. One spare copy
SRT

HIGH COURT

TMDJ

DATED:01/07/2025

list this matter on 29.07.2025

ORDER

WP.No.17469 of 2025

STATUS QUO

