HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
MONDAY, THE SECOND DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR
:PRESENT:
THE HONOURABLE SMT JUSTICE T.MADHAVI DEVI
WRIT PETITION NO: 29918 OF 2024

Between:

1. Mr. Mohd Lokeman, S/o. Mr. Mohammed Suleman
2. Mrs. Bushra Lokeman, W/o. Mr. Abdul Rahman Shariff
3. Mrs. Romana Lokeman, W/o. Mohd. Lokeman
4. Smt. C.S.Babitha, D/o. Late. Sri. C.B.Shama Rao
5. Mr. A. Mallaiah, S/o. Late. Sri. A. Muthyalu

...Petitioners

AND

1. The State of Telangana, Represented by its Principal Secretary, Co-operation Department, Secretariat, Hyderabad.
2. The Divisional Co-operative Officer, Hyderabad West, Nampally, 5-8-505, Chirag Ali Lane, Abids, Hyderabad, Telangana – 500001.
3. The Deputy Registrar, Co-operative Societies, Secunderabad, 5th Floor, Grukalpa Building, Opp. Gandhi Bhavan, M. J. Road, Nampally, Hyderabad - 500 001.
4. The Mercantile Co. Op. Urban Bank (Secunderabad) Ltd., Secunderabad, Represented by its C.E.O. A. Rajeshwara Rao, S/o. Sri. A. RAYALINGU, having its Branch at D.No.2-2-150, 2nd Floor, M.G. Road, Secunderabad - 500 003.

...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:-

i. Issue a Writ, Order or Direction more particularly, one, in the nature of Writ of certiorari, declaring the action of the Respondent no.3 in passing the award and issuance of certificate under section 71 (1) of the TSCS Act 1964 dated 04.03.2023 in ARC no. 7 of 2017 as same is illegal, arbitrary, violative of provisions of Telangana Co-operative society and violative of Article 14, 21, and 300-A of the Constitution of India by consequently set aside the same.

ii. To consequently declare the form no. 7 under Rule 52 (11) (D) of the Telangana Co-operative Societies Act 1964 in EP No. 05/2023-UB issued by the Respondent no.3 in respect of award/certificate dated

04.03.2023 in ARC no. 7 of 2017 passed by the Respondent no.4 as arbitrary, violative and contrary to well settled principles of law;

IA NO: 2 OF 2024

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 grant interim relief to stay of proceedings in EP.No.05/2023-UB registered by the Respondent no.3 in respect of award/certificate dated 04.03.2023 in ARC no.7 of 2017 passed by the Respondent no.3 until, pending disposal of WP.No.29918 of 2024, 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 the order of the High Court dated: 28.10.2024 and 11.11.2024 made herein and upon hearing the arguments of M/s. B. BHARATH REDDY Advocate for the Petitioners, GP FOR COOPERATION for the Respondent Nos.1 to 3 and SRI. M. SHIVA SHEKAR Advocate for the Respondent No.4, the Court made the following.

ORDER:

At the request of learned counsel for respondents, to file counter, list on 30.12.24.

Till then interim order granted earlier stands extended.

SD/-MOHD.ISMAIL
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to M/s. B. BHARATH REDDY, Advocate [OPUC].
2. Two CCs to GP FOR COOPERATION, High Court for the State of Telangana at Hyderabad [OUT].
3. One spare copy

HIGH COURT

TMD, J

DATED:02/12/2024

NOTE: LIST ON 30.12.2024.

ORDER

HIGH COURT FOR THE STATE OF TELANGANA
SPECIAL CELL
05 DEC 2024
DESPATCHED

WP.No.29918 of 2024

EXTENSION OF STAY