HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

TUESDAY, THE FIRST DAY OF APRIL
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE THE ACTING CHIEF JUSTICE SUJOY PAUL
AND
THE HONOURABLE SMT JUSTICE RENUKA YARA

WRIT APPEAL NO: 274 OF 2025

Writ Appeal under clause 15 of the Letters Patent preferred against the order dated 12-12-2024 passed in W.P No. 22691 of 2024 on the file of the High Court.

Between:

1. M/s. Asian Sun City Flat Owners Maintenance Mutually Aided Co- operative Society Ltd, Rep. by its Promoter/President Bharath Narang, S/o. Late Narayandas Kishandas Narang, aged about 52 years, R/o. Asian Sun City Apartment, Kothaguda Village, Serilingampalle (M), R.R. District, Hyderabad, Telangana - 500084
2. Bharath Narang, S/o. Late Narayandas Kishandas Narang, aged about 52 years, Occ. Promoter/President, R/o. Flat No. 1103, D-Block, Asian Sun City Apartment, Kothaguda Village, Serilingampalle (M), R.R. District, Hyderabad, Telangana - 500084
3. J. Narender Reddy, S/o. J. Chandra Reddy, aged about 54 years, Occ. Executive Member, R/o. Flat No. 1208, D-Block, Asian Sun City Apartment, Kothaguda Village, Serilingampalle (M), R.R. District, Hyderabad, Telangana - 500084
4. Sudha Malapati, W/o. M. Venkata Janardhana Reddy, aged about 37 years, Occ. Executive Member, R/o. Flat No. 2206, D-Block, Asian Sun City Apartment, Kothaguda Village, Serilingampalle (M), R.R. District, Hyderabad, Telangana - 500084

...APPELLANTS/RESPONDENTS 4, 5, 11 & 13

AND

1. A. Govardhan Reddy, S/o. A. Venkateswara Reddy, aged about 54 years, Occ. Business, R/o. Flat no. 1805, C-Block, Asian Sun City Apartment, Kothaguda (V), Serilingampally Mandal, R.R. District.
2. Gundam Sudheer, S/o. A. Venkatram Reddy, aged about 35 years, Occ. Business, R/o. Flat no. 2204, C-Block, Asian Sun City Apartment, Kothaguda (V), Serilingampally Mandal, R.R. District.
3. B. Naresh Kumar Reddy, S/o. Late B. Narsimha Reddy, aged about 49 years, Occ. Business, R/o. Flat no. 1807, D-Block, Asian Sun City Apartment, Kothaguda (V), Serilingampally Mandal, R.R. District.

4. The State of Telangana, Rep. by its Principal Secretary, Cooperative Society Department, Central Secretariat, Khairatabad, Hyderabad, Telangana - 500022.

5. The Commissioner of Cooperation and Registrar, Cooperative Societies Telangana, 3rd floor, Gruhakalpa Building, Opp. Gandhi Bhavan, Nampally, Hyderabad - 500001.

6. District Cooperative Officer, Rangareddy District Integrated District Office Complex, Kongara kalan Village, Ibrahimpatnam Mandal, Rangareddy District, Telangana - 501510

7. Makhena Paramaiah, S/o. Lingaiah Makkena, aged about 65 years, Occ. Vice President, R/o. Flat No. 1808, D-B lock, Asian Sun City Apartment, Kothaguda Village, Serilingampalle (M), R.R. District, Hyderabad, Telangana - 500084

8. K. Siva Sathya Venkata Vara Prasad, S/o. Late K.V. Ramana, aged about 60 years, Occ. Joint Secretary, R/o. Flat No. 2002, D-Block, Asian Sun City Apartment, Kothaguda Village, Serilingampalle (M), R.R. District, Hyderabad, Telangana - 500084

9. G. Sushma Reddy, W/o. G. Veera Laxma Reddy, aged about 53 years, Occ. General Secretary, R/o. Flat No. 1705, D-Block, Asian Sun City Apartment, Kothaguda Village, Serilingampalle (M), R.R. District, Hyderabad, Telangana - 500084

10. G. P. Rekha, W/o. G.P. Ravi Kumar, aged about 60 years, Occ. Treasurer, R/o. Flat No. 2506, C-Block, Asian Sun City Apartment, Kothaguda Village, Serilingampalle (M), R.R. District, Hyderabad, Telangana - 500084

11. Shaik Shakeer, S/o. Shaik Mahaboon Vali, aged about 38 years, Occ. Executive Member, R/o. Flat No. 1102, C-Block, Asian Sun City Apartment, Kothaguda Village, Serilingampalle (M), R.R. District, Hyderabad, Telangana - 500084

12. Putta Yashwanth, S/o. P. Eshwar Mohan Rao, aged about 35 years, Occ. Executive Member, R/o. Flat No. 2507, C-Block, Asian Sun City Apartment, Kothaguda Village, Serilingampalle (M), R.R. District, Hyderabad, Telangana - 500084

13. Sharath Mirdiddi, S/o. M. Shyam Sundar, aged about 37 years, Occ. Executive Member, R/o. Flat No. 1104, D-Block, Asian Sun City Apartment, Kothaguda Village, Serilingampalle (M), R.R. District, Hyderabad, Telangana - 500084

14. K. Prabhakara Rao, S/o. K.V.K.S Rao, aged about 65 years, Occ. Executive Member, R/o. Flat No. 2202, C-Block, Asian Sun City Apartment, Kothaguda Village, Serilingampalle (M), R.R. District, Hyderabad, Telangana - 500084

...RESPONDENTS

IA NO: 2 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the operation of the Final Order, dated 12.12.2024, passed in W.P. No.

22691 of 2024, otherwise the Petitioners will suffer irreparable loss, and in the interest of justice.

Counsel for the Appellants: SRI DUVVA PAVAN KUMAR, REP. FOR SRI SURYA TEJ.P.N.J

Counsel for the Respondent No.1 to 3: SRI R.DHEERAJ SINGH

Counsel for the Respondent No.4 to 6: GP FOR COOPERATION

Counsel for the Respondent No.7 & 8: SRI L.ARAVIND REDDY

Counsel for the Respondent No.9 to 14: SRI PREETHAM KUNAPA REDDY

The Court delivered the following: JUDGMENT

THE HON'BLE THE ACTING CHIEF JUSTICE SUJOY PAUL
AND
THE HON'BLE SMT. JUSTICE RENUKA YARA

WRIT APPEAL No.274 of 2025

JUDGMENT: *(Per the Hon'ble the Acting Chief Justice Sujoy Paul)*

Sri Duvva Pavan Kumar, learned counsel representing Sri Surya Tej P.N.J., learned counsel for the appellants and Sri R.Dheeraj Singh, learned counsel for respondents No.1 to 3.

2. During the course of hearing, learned counsel for the parties reached to a consensus. It is agreed that since the elections to the appellant No.1 – Society are already scheduled on 05.04.2025 and the election process is in full swing, let the elections take place on the said date. It is agreed that a direction may be issued so that the elections take place in accordance with law. It is also agreed that if anyone is aggrieved by the election process and the outcome of the elections, he/she can avail the appropriate remedy in accordance with law before appropriate forum.

3. Learned counsel for both sides agreed that the question of maintainability of the writ petition against a private cooperative society, including availability of the alternative remedy before appropriate forum, may be left open to be decided in an appropriate case.

4. In view of the consensus arrived at between the learned counsel for the parties, the writ petition is **disposed of** with the following directions:

i) Let the elections to the appellant No.1 – Society be held as scheduled in accordance with law;

ii) If anyone is aggrieved by the election process and/or result, he/she may assail the same before appropriate forum; and

iii) The legal question about the maintainability of the writ petition like the instant writ petition and question of availability of the alternative remedy shall remain open to be decided in an appropriate case.

Miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

SD/- K.SHYLESHI
JOINT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Cooperative Society Department, Central Secretariat, Khairatabad, Hyderabad, Telangana - 500022.
2. The Commissioner of Cooperation and Registrar, Cooperative Societies Telangana, 3rd floor, Gruhakalpa Building, Opp. Gandhi Bhavan, Nampally, Hyderabad - 500001.
3. The District Cooperative Officer, Rangareddy District Integrated District Office Complex, Kongara kalan Village, Ibrahimpatnam Mandal, Rangareddy District, Telangana – 501510.

4. One CC to SRI SURYA TEJ.P.N.J, Advocate [OPUC]
5. One CC to SRI R.DHEERAJ SINGH, Advocate [OPUC]
6. One CC to SRI PREETHAM KUNAPA REDDY, Advocate [OPUC]
7. One CC to SRI L.ARAVIND REDDY, Advocate [OPUC]
8. Two CCs to GP FOR COOPERATION, High Court for the State of Telangana at Hyderabad [OUT]
9. Two CD Copies

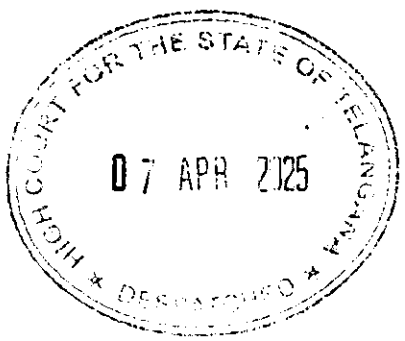
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HIGH COURT

DATED: 01/04/2025

JUDGMENT

WA.No.274 of 2025



DISPOSING OF THE WRIT APPEAL,

WITHOUT COSTS

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