[3488]

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

TUESDAY, THE EIGHTEENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND
THE HONOURABLE SRI JUSTICE G.M. MOHIUDDIN

WA.Nos.392, 400, 401, 402 AND 403 OF 2026

W.A.NO: 392 OF 2026

Writ Appeal under clause 15 of the Letters Patent Preferred Against the Order dated. 02-04-2026, in IA.No.1 of 2026 in WP.No. 8514 of 2026. on the file of the High Court.

Between:

The Jubilee Hills Cooperative House Building Society Ltd., having its office at Road No. 17-A, Jubilee Hills, Hyderabad - 500171, Rep. by Chairman, Person-In-Charge Committee, Mr. B. Ravindranath, S/o. Bollineni Rajgopal Naidu, aged about 49 years, R/o. H. No. 8-2-293/82/A, Flat No. 1343, Road No. 67, Jubilee Hills, Hyderabad - 500033.

...APPELLANT/RESPONDENT No.4 IN THE WP

AND

1. The State of Telangana, Represented by its Principal Secretary, Department of Cooperation, Secretariat Buildings, Hyderabad.
2. The Registrar-cum-Commissioner of Cooperative Societies, State of Telangana, Gruhakalpa Building, Nampally, Hyderabad.
3. The State Cooperative Election Authority, The State of Telangana, Hyderabad, Telangana.

...RESPONDENTS/RESPONDENT Nos.1 TO 3 IN THE WP

4. M.N. Sastry, S/o Sri Nageswara Rao, Age 58 years, Occupation. Business, Resident of 508, Srinilaya Estates, Hyderabad.
5. A. Subba Rao, S/o A. Venkateswara Rao, Age 64 years, Occupation. Business, Resident of Plot No. 309, Road No. 10-C, Jubilee Hills, Hyderabad

...RESPONDENTS/WRIT PETITIONERS

I.A. NO: 2 OF 2026

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 direct the Respondent Nos. 1 to 3 herein to recommence and conduct the elections to the Managing Committee of the Petitioner/Appellant Society in terms of the election notification bearing Rc. No. 389/HYD/SCEA/2026 dt. 18.03.2026from the stage where it has been stalled/stayed.

I.A. NO: 3 OF 2026

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 order dt. 02.04.2026 passed by Hon'ble Single Judge of this Hon'ble Court in IA No. 1 of 2026 in WP No. 8514 of 2026.

Counsel for the Appellant: SRI R.N.HEMENDRANTH REDDY, SENIOR COUNSEL FOR SRI SANNAPANENI LOHIT
Counsel for the Respondent Nos.1 TO 3: SMT. B.MOHANA REDDY, GP FOR COOPERATION
Counsel for the Respondent Nos.4 & 5: SRI D.V.SITHARAM MURTHY/ SRI A.VENKATESH, SENIOR COUNSEL FOR SRI MAMIDI AVINASH REDDY

WA NO: 400 OF 2026

Writ Appeal under clause 15 of the Letters Patent Preferred Against the Order dated. 02-04-2026. in IA.No.2 of 2026 in WP.No. 8745 of 2026. on the file of the High Court.

Between:

The Jubilee Hills Cooperative House Building Society Ltd, having its office at Road No. 17-A, Jubilee Hills, Hyderabad - 500171, Rep. by Chairman, Person-In-Charge Committee, Mr. B. Ravindranath, S/o. Bollineni Rajgopal Naidu, aged about 49 years, R/o. H. No. 8-2-293/82/A, Flat No. 1343, Road No. 67, Jubilee Hills, Hyderabad - 500033.

...APPELLANT/RESPONDENT No.4 IN THE WP

AND

1. The State of Telangana, Represented by its Principal Secretary, Department of Cooperation, Secretariat Buildings, Hyderabad.
2. The Commissioner of Co-operative Societies, and Registrar of Co-operative Societies, Government of Telangana, Hyderabad.
3. The State Cooperative Election Authority, for the State of Telangana, Hyderabad, Telangana.

...RESPONDENTS/RESPONDENT Nos.1 TO 3 IN THE WP

4. K. Ramesh Chowdary, S/o. Dhana Koteswara Rao, Occupation. Business, R/o. Plot No. 154, Road No. 71, Jubilee Hills, Hyderabad, Telangana - 500033.
5. T. Hanumanth Rao, S/o. T.Veeraiah, Occupation. Business, R/o. Plot No. 1299K, Road No. 66, Jubilee Hills, Hyderabad, Telangana - 500033.
6. Jyothi Prasad Kosaraju, S/o. Sreeramulu Kosaraju, aged about 66 years, Occupation. Business, R/o. 854-D, Road No. 44, Near Peddamma Temple, Jubilee Hills, Shaikpet, Hyderabad - 500033

...RESPONDENTS/WRIT PETITIONERS

I.A. NO: 2 OF 2026

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 order dt. 02.04.2026 passed by Hon'ble Single Judge of this Hon'ble Court in IA No. 2 of 2026 in WP No. 8745 of 2026.

I.A. NO: 3 OF 2026

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 direct the Respondent Nos. 1 to 3 herein to recommence and conduct the elections to the Managing Committee of the Petitioner/Appellant Society in terms of the election notification bearing Rc. No. 389/HYD/SCEA/2026 dt. 18.03.2026 from the stage where it has been stalled/stayed.

Counsel for the Appellant: SRI R.N.HEMENDRANTH REDDY, SENIOR COUNSEL FOR SRI SANNAPANENI LOHIT
Counsel for the Respondent Nos.1 TO 3: SMT. B.MOHANA REDDY, GP FOR COOPERATION
Counsel for the Respondent Nos.4 TO 6: SRI VEDULA SRINIVAS, SENIOR COUNSEL FOR SRI M.S.ACHYUTH BHARATWAJ

WA NO: 401 OF 2026

Writ Appeal under clause 15 of the Letters Patent Preferred Against the Order dated. 02-04-2026, in IA.No.1 of 2026 in WP.No. 8728 of 2026. on the file of the High Court.

Between:

The Jubilee Hills Cooperative House Building Society Ltd., having its office at Road No. 17-A, Jubilee Hills, Hyderabad - 500171, Rep. by Chairman, Person-In-Charge Committee, Mr. B. Ravindranath, S/o. Bollineni Rajgopal Naidu, aged about 49 years, R/o. H. No. 8-2-293/82/A, Flat No. 1343, Road No. 67, Jubilee Hills, Hyderabad - 500033.

...APPELLANT/RESPONDENT No.4 IN THE WP

AND

1. The State of Telangana, Represented by its Principal Secretary, Department of Cooperation, Secretariat Buildings, Hyderabad.
2. The Registrar-cum-Commissioner of Cooperative Societies, State of Telangana. Gruhakalpa Building, Nampally, Hyderabad.
3. The State Cooperative Election Authority, The State of Telangana, Hyderabad, Telangana.
4. M. Haranath Babu, S/o M. Lakshmi Narayana, Age 59 years, Occupation. Business, R/o 503, Sri Surabhi Avas, B-9, Madhura Nagar, Hyderabad-037.
5. A. Subba Rao, S/o A. Venkateswara Rao, Age 64 years, Occupation. Business, R/o Plot No. 309, Road No. 10-C, Jubilee Hills, Hyderabad.
6. G. Sriram, S/o G. Venugopal, Age 62 years, Occupation. Business, R/o Plot No. 64, Road No. 4, Mahendra Hills, East Marredpally, Secunderabad.
7. N.G. Ramesh, S/o Name Ramesh, Age 48 years, Occupation. Business, R/o 6-3-1112, Begumpet, Hyderabad.
8. P.V. Anjaneyulu, S/o P. Sadasiva Rao, Age 59 years, Occupation. Business, R/o H.No. B-22, 23 and 24, Flat No. 402, Indraprasta Apartment, Vengal Rao Nagar, Hyderabad.
9. P. K. Radhika, W/o K. Prakash, Age 78 years, Occupation. Household, R/o 8-2-681/A, Road No. 12,Banjara Hills, Hyderabad-034.
10. B. Amarender Reddy, S/o B. Bucha Reddy, Age 50 years, Occupation. Business, R/o Plot No. 164, Road No. 76, Jubilee Hills, Hyderabad-033.
11. P. Chandramouli, S/o Sita Ramaiah, Age 64 years, Occupation. Business, R/o 102, JVR Residency, Balkampet, Hyderabad, Telangana.
12. Srikakulapu Rukmini, W/o S.K. Rao, Age 69 years, Occupation. Household, R/o C/o Murali Krishna, 18/A, Club Road, Gudivada, Krishna District.
13. S. Kumar Raja, S/o S. Gopala Krishna Rao, Age 65 years, Occupation. Business, R/o 103, Ganesh Mansion, Dharam Karan Road, Behind Divils Tower, Ameerpet, Hyderabad.

14. C.A. Satyavathi, W/o C.U.M. Rao, Age 64 years, Occupation. Household, R/o Plot No. 61, Aswini Heights, Jubilee Hills, Hyderabad

...RESPONDENTS

I.A. NO: 2 OF 2026

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 order dt. 02.04.2026 passed by Hon'ble Single Judge of this Hon'ble Court in IA No. 1 of 2026 in WP No. 8728 of 2026.

I.A. NO: 3 OF 2026

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 direct the Respondent Nos. 1 to 3 herein to recommence and conduct the elections to the Managing Committee of the Petitioner/Appellant Society in terms of the election notification bearing Rc. No. 389/HYD/SCEA/2026 dt. 18.03.2026 from the stage where it has been stalled/stayed.

Counsel for the Appellant: SRI R.N.HEMENDRANTH REDDY, SENIOR COUNSEL FOR SRI SANNAPANENI LOHIT

Counsel for the Respondent Nos.1 TO 3: SMT. B.MOHANA REDDY, GP FOR COOPERATION

Counsel for the Respondent Nos.4 & 5: SRI D.V.SITHARAM MURTHY/ SRI A.VENKATESH, SENIOR COUNSEL FOR SRI MAMIDI AVINASH REDDY

Counsel for the Respondent Nos.6 TO 14: --

WA NO: 402 OF 2026

Writ Appeal under clause 15 of the Letters Patent Preferred Against the Order Dated 02/04/2026, in IA.No.1 of 2026 in W.P.No.8727 of 2026 on the file of the High Court.

Between:

The Jubilee Hills Cooperative House Building Society Ltd., having its office at Road No. 17-A, Jubilee Hills, Hyderabad - 500171, Rep. by Chairman, Person-In-Charge Committee, Mr. B. Ravindranath, S/o. Bollineni Rajgopal Naidu, Aged about 49 years, R/o. H. No. 8-2-293/82/A, Flat No. 1343, Road No. 67, Jubilee Hills, Hyderabad - 500033.

...APPELLANT/RESPONDENT No.4 IN THE WP

AND

1. The State of Telangana, Represented by its Principal Secretary, Department of Cooperation, Secretariat Buildings, Hyderabad.
2. The Registrar-cum-Commissioner of Cooperative Societies, State of Telangana, Gruhakalpa Building, Nampally, Hyderabad.
3. The State Cooperative Election Authority, The State of Telangana, Hyderabad, Telangana.

...RESPONDENTS/RESPONDENT Nos.1 TO 3 IN THE WP

4. M.N. Sastry, S/o. Sri Nageswara Rao, Age 58 years, Occupation. Business, R/o. 508, Srinilaya Estates, Hyderabad.
5. K. Vijaya Lakshmi, W/o. O.K. Lakshmi Narayana, Age 59 years, Occupation. House Hold, R/o. Quarter No. 28, Banjara Hills, Hyderabad.
6. V. Basava Kutumba Rao, S/o. Late Venkata Subba Rao, Age 71 years, Occupation. Business, R/o. 3-206, DivyashaktiApartment, 7-1-58, Ameerpet, Hyderabad.
7. Satya Shayamal Devi, W/o. J. Durga Prasad, Age 65 years,Occupation. Household, R/o. 7-1-214/4, Dharam Karan Road, Ameerpet, Hyderabad.
8. Akash Sethia, S/o. D. C. Sethia, Age 51 years, Occupation. Business, R/o. J.D. Electronics, Abids, Hyderabad.
9. Paturi Srinivasa Rao, S/o. P. Siva Rama Prasad, Age 55 years, Occupation. Business, R/o. Flat No. 5N, 5th Floor, Road No. 14, Banjara Hills, Hyderabad.
10. K. Venkateswara Rao, S/o. Madhusudhan Rao. Age 60 years, Occupation. Business, R/o. Plot No. 1285, Road No. 64, Jubilee Hills, Hyderabad.
11. K. Lakshmi Kishore, S/o. K. Ramanandam, Age 61 years, Occupation. Business, R/o. 6-3-860/12, Rohini Apartment, Srinagar Colony, Hyderabad.

...RESPONDENTS

I.A. NO: 2 OF 2026

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 order dt. 02/04/2026 passed by Honourable Single Judge of this Honourable Court in IA No. 1 of 2026 in WP No. 8727 of 2026.

I.A. NO: 3 OF 2026

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 direct the Respondent Nos. 1 to 3 herein to recommence and conduct the elections to the Managing Committee of the Petitioner/Appellant Society in terms of the election notification bearing Rc. No. 389/HYD/SCEAJ2026 dt. 18/03/2026 from the stage where it has been stalled/stayed.

Counsel for the Appellant: SRI R.N.HEMENDRANTH REDDY, SENIOR COUNSEL FOR SRI SANNAPANENI LOHIT
Counsel for the Respondent Nos.1 TO 3: SMT. B.MOHANA REDDY, GP FOR COOPERATION
Counsel for the Respondent Nos.4 & 5: SRI D.V.SITHARAM MURTHY/ SRI A.VENKATESH, SENIOR COUNSEL FOR SRI MAMIDI AVINASH REDDY

Counsel for the Respondent Nos.6 TO 11: --

WA NO: 403 OF 2026

Writ Appeal under clause 15 of the Letters Patent Preferred Against the Order Dated 02/04/2026 In IA.No.1 of 2026 in W.P.No 8748 of 2026 on the file of the High Court.

Between:

The Jubilee Hills Cooperative House Building Society Ltd, , having its office at Road No. 17-A, Jubilee Hills, Hyderabad -500171, Rep. by Chairman, Person-In-Charge Committee, Mr. B. Ravindranath, S/o. Bollineni Rajgopal Naidu, aged about 49 years, R/o. H. No. 8-2-293/82/A, Flat No. 1343, Road No. 67, Jubilee Hills, Hyderabad -500033

...APPELLANT/RESPONDENT No.4 IN THE WP

AND

1. The State of Telangana, Represented by its Principal Secretary, Department of Cooperation, Secretariat Buildings, Hyderabad
2. The Commissioner for Cooperation and Registrar of Co-operative Societies, Government of Telangana, Hyderabad
3. The State Cooperative Election Authority, for the State of Telangana, Hyderabad, Telangana

...RESPONDENTS/RESPONDENT Nos.1 TO 3 IN THE WP

4. Sunil Reddy E, S/o E. Ella Reddy, Aged about 65 years, Occ Business, Membership MS No. 5192, R/o H.No. M-22, Vijayanagar Colony, Hyderabad - 500057
5. Murali Madupu, S/o Late M.S. Chalapathi Rao, Aged about 73 years, Occ Business, Membership MS No. 4865, R/o 8-2-293/174/2/1, B.N. Reddy Colony, Road No. 14, Banjara Hills, Hyderabad-500034
6. Anil Kumar Duggineni, S/o D. Satyanarayana Rao, Aged about 69 years, Occ Business, Membership, MS No. 247, R/o Karimnagar, Telangana.
7. C.S. Viswanatha Reddy, S/o Sidda Reddy, Aged about 68 years, Occ Business, Membership MS No. 4872, R/o Flat No. 207,Teja Block, My Home Navadweepa, Hitech City Main Road, Hyderabad.
8. Chander Rao Venapalli, S/o V. Gopala Rao, Aged about 81 years, Occ Business, Membership, MS No. 5079, R/o Srinagar Colony, Kodada, Nalgonda District, Telangana
9. Swarupa Reddy K.V., W/o K.V.R. Reddy, aged about 70 years, Occ Business, Membership, MS No. 718, R/o 6-3-248/B, Road No. 1, Banjara Hills, Hyderabad - 500034.
10. Venkatram Reddy K., S/o K. Konda Reddy, aged about 65 years, Occ Business, Membership, MS No. 4899, R/o H.No. 24-A, P.S. Nagar, Hyderabad - 500057.
11. Sarvottama Reddy M., S/o M. Chenna Reddy, aged about 72 years, Occ Business, Membership, MS No. 4247, R/o D-II, 263, Vinay Marg, Chanakyapuri. New Delhi
12. Krishna Reddy V., S/o V. Sivakota Reddy, aged about 65 years, Occ Business, Membership, MS No. 5251, R/o Flat No. 501, Kavya Deluxe Apartments, Yousufguda Main Road, Hyderabad-500045.
13. Archana Agarwal, W/o Vinod K. Agarwal, aged about 66 years, Occ Business, Membership MS No. 1454, R/o H.No. PJ-33, Officers Colony, Panjagutta, Hyderabad - 500082.
14. Naveen P., S/o P. Anand Rao, aged about 55 years, Occ Business, Membership MS No. 5108, R/o.Sri Balaji Composite Cans (P) Ltd., 215, Boduppal, Hyderabad - 500039.
15. K. Prasanna Jyothi, W/o Radha Krishna Kasaraneni, aged about 63 years, Occ Business, Membership MS No. 4393, R/o Maruthi Nilayam, Powerpet, Venkatarama Printing Press Road, Eluru - 534002
16. Sreedhar Chowdary, S/o Late G.S. Chowdhury, aged about 74 years, Occ Business, Membership, MS No. 5137, R/o 8-2-680, Road No. 12, Banjara Hills, Hyderabad - 500034.
17. Chalapathi Reddy M, S/o Reddy M, aged about 90 years, Occ Business, Membership, MS No. 1710, R/o H.No. 273/3, Vijayanagar Colony, Hyderabad - 500057.

18. Gowthami Chowdary T, W/o T. Rajeswara Rao, aged about 72 years, Occ Business, Membership, MS No. 4977, R/o Basavapurna X-Ray Clinic, Ramachandra Rao Road, Suryaraopet, Vijayawada - 520002.
19. Sambasiva Rao N., S/o N. Rama Kotaiah, aged about 65 years, Occ Business, Membership, MS No. 4657, R/o 603/MLS Quarters, Punjagutta, Hyderabad.
20. Saraswati R., W/o R.R. Naidu, aged about 81 years, Occ Business, Membership MS No. 4372, R/o Plot No. 51, Siddardha Nagar Colony, Hyderabad - 500038

...RESPONDENTS/WRIT PETITIONERS

I.A. NO: 2 OF 2026

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 order dt. 02.04.2026 passed by Hon'ble Single Judge of this Hon'ble Court in IA No. 1 of 2026 in WP No. 8748 of 2026.

I.A. NO: 3 OF 2026

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 direct the Respondent Nos. 1 to 3 herein to recommence and conduct the elections to the Managing Committee of the Petitioner/Appellant Society in terms of the election notification bearing Rc.No.389/HYD/SCEA/2026 dt. 18.03.2026 from the stage where it has been stalled/stayed.

Counsel for the Appellant: SRI R.N.HEMENDRANTH REDDY, SENIOR COUNSEL FOR SRI SANNAPANENI LOHIT
Counsel for the Respondent Nos.1 TO 3: SMT. B.MOHANA REDDY, GP FOR COOPERATION
Counsel for the Respondent Nos.4 & 5: SRI D.V.SITHARAM MURTHY/ SRI A.VENKATESH, SENIOR COUNSEL FOR SRI MAMIDI AVINASH REDDY

Counsel for the Respondent Nos.6 TO 20: --

The Court made the following: COMMON JUDGMENT

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND
THE HON'BLE SRI JUSTICE G.M.MOHIUDDIN

WRIT APPEAL Nos.392, 400, 401, 402 and 403 of 2026

DATE: 18.08.2026

W.A.No.392 of 2026

Between:

The Jubilee Hills Cooperative House Building Society Limited, Jubilee Hills, Hyderabad, Rep. by Chairman, Person-incharge Committee, Sri B.Ravindranath

....Appellant

And

The State of Telangana, Rep. by its Principal Secretary and 4 others

....Respondents

W.A.No.400 of 2026

Between:

The Jubilee Hills Cooperative House Building Society Limited, Jubilee Hills, Hyderabad, Rep. by Chairman, Person-incharge Committee, Sri B.Ravindranath

....Appellant

And

The State of Telangana, Rep. by its Principal Secretary and 5 others

....Respondents

W.A.No.401 of 2026

Between:

The Jubilee Hills Cooperative House Building Society Limited, Jubilee Hills, Hyderabad, Rep. by Chairman, Person-incharge Committee, Sri B.Ravindranath

....Appellant

And

The State of Telangana, Rep. by its Principal Secretary and 13 others

....Respondents

W.A.No.402 of 2026

Between:

The Jubilee Hills Cooperative House Building Society Limited, Jubilee Hills, Hyderabad, Rep. by Chairman, Person-incharge Committee, Sri B.Ravindranath

....Appellant

And

The State of Telangana, Rep. by its Principal Secretary and 10 others

....Respondents

W.A.No.403 of 2026

Between:

The Jubilee Hills Cooperative House Building Society Limited, Jubilee Hills, Hyderabad, Rep. by Chairman, Person-incharge Committee, Sri B.Ravindranath

....Appellant

And

The State of Telangana, Rep. by its Principal Secretary and 19 others

....Respondents

COMMON JUDGMENT

Since the issues that arise in the above writ appeals are integrally one and the same, the writ appeals are being disposed of by this Common Judgment.

2. These five connected writ appeals are preferred under Clause 15 of the Letters Patent against common interim order dated 02.04.2026 passed by the learned Single Judge of this Court in I.A.No.1 of 2026 in W.P.No.8514 of 2026; I.A.No.1 of 2026 in W.P.No.8727 of 2026;

I.A.No.1 of 2026 in W.P.No.8728 of 2026; I.A.No.2 of 2026 in W.P.No.8745 of 2026 and I.A.No.1 of 2026 in W.P.No.8748 of 2026. By the said common interim order, the learned Single Judge allowed the interlocutory applications filed in the aforesaid Writ Petitions and granted interim relief, thereby staying the election process to the Managing Committee of the appellant-Society, which was scheduled to be held on 05.04.2026.

3. For the sake of convenience, the respondents herein, who are the writ petitioners in the respective writ petitions, shall hereinafter be referred to as the 'respondents/writ petitioners'.

4. Heard Sri R.N.Hemendranth Reddy, learned Senior Counsel representing Sri Lohit Sannapaneni, learned counsel for the appellants; Smt. B.Mohana Reddy, learned Government Pleader for Cooperation appearing for respondent Nos.1 to 3; Sri D.V.Sitharam Murthy and Sri A.Venkatesh, learned Senior Counsel representing Sri Mamidi Avinash Reddy, learned counsel for respondent Nos.4 and 5 in W.A.Nos.392, 401, 402 and 403 of 2026; Sri Vedula Srinivas, learned Senior Counsel representing Sri M.S.Achyuth Bharatwaj, learned counsel for respondent Nos.4 to 6 in W.A.No.400 of 2026 and perused the record.

Factual matrix

5. The appellant-Society is a registered Cooperative Housing Society governed by the provisions of the Telangana Cooperative

Societies Act, 1964 (hereinafter referred to as 'the 1964 Act'). Its objects, *inter alia,* include carrying on, for the benefit of its members, the business of building and of buying, selling, hiring, letting and developing of land in accordance with cooperative principles, and advancing loans to its members for construction of dwelling houses.

6. Previous elections to the Managing Committee were held on 21.03.2021 pursuant to orders passed by this Court in W.P.Nos.14099 & 22864 of 2020. By common order dated 05.01.2021, this Court set aside the earlier voters' list and directed preparation of a fresh list. A revised voters' list comprising 4960 members was prepared and elections conducted on 21.03.2021. The term of the Managing Committee was due to expire on 21.03.2026.

7. In preparation for the ensuing elections, the appellant-Society published a provisional voters' list on 09.02.2026 containing 4,394 members, excluding 887 members (including the respondents/writ petitioners) who were stated to have been disqualified and removed from membership. The exclusion of the said members was attributed to their alleged disqualification, including non-submission of KYC documents.

8. Aggrieved by their exclusion, the respondents attempted to submit objections to the Society and the 2nd respondent-Registrar. However, objections were not accepted on the ground that only members could submit objections. Respondents approached this

Court by filing W.P.Nos.5171 & 5194 of 2026. By interim order dated 23.02.2026, this Court granted liberty to the petitioners therein to submit representations to the 2nd respondent-Registrar for inclusion of their names in the voters' list and directed the Registrar to consider the same and pass appropriate orders in accordance with law after affording opportunity of hearing.

9. Pursuant thereto, the respondents/writ petitioners submitted representations dated 25.02.2026, and thc 2nd respondent issued notices dated 05.03.2026 fixing the hearing for 17.03.2026. However, in W.P.No.8514 of 2026, the 2nd respondent had already rejected their objections by proceedings Rc.No.1333/2026-HG1 dated 12.03.2026, prior to the scheduled hearing. When the respondents appeared on 17.03.2026, they were informed that their representations had already been rejected.

10. Thereafter, separate proceedings dated 18.03.2026 were issued by the 2nd respondent in respect of the petitioners who had been heard on 17.03.2026, rejecting their objections and directing them to avail the remedy under Section 76 of the 1964 Act, on the ground that the question relating to their disqualification and removal from membership fell within the jurisdiction of the Cooperative Tribunal. The said proceedings proceeded on the basis that the petitioners were no longer continuing as members of the Society and that, unless their

membership was restored, they could not be treated as valid voters for inclusion in the voters' list.

11. On the very same day, i.e., 18.03.2026, the State Cooperative Election Authority issued the Election Notification bearing Rc.No.389/HYD/SCEA/2026, appointing the Election Officer and fixing 05.04.2026 as the date of poll for the election to the Managing Committee of the appellant Society.

12. The appellant Society, pursuant to the Managing Committee resolution dated 14.10.2024, had admitted 271 members, whose inclusion in the voters' list subsequently became the subject matter of challenge in W.P.No.8745 of 2026. The respondents/writ petitioners therein alleged that the said members had been admitted in violation of the interim order dated 24.10.2024 passed by this Court in W.P. No.29810 of 2024.

13. Aggrieved by the proceedings of the 2nd respondent and the Election Notification, the respondents instituted the underlying batch of Writ Petitions seeking inclusion of their names and questioning inclusion of 271 members. On 02.04.2026, the learned Single Judge allowed the interlocutory applications and stayed all further proceedings pursuant to the Election Notification.

14. Aggrieved by the said common interim order dated 02.04.2026 passed in the underlying writ petitions, the appellant-Society has preferred the present writ appeals.

Submissions on behalf of the appellant-Society

15. Learned Senior Counsel appearing for the appellant-Society, advanced the following submissions:

i) That the impugned interim order is unsustainable in law, inasmuch as the learned Single Judge has recorded findings of a conclusive nature on several disputed questions of fact and law, which are matters requiring adjudication in the main Writ Petitions.

ii) That, the order has the effect of finally determining several issues concerning disqualification/removal of 887 members, admission of newly admitted members, and preparation of voters' list, thereby prejudicing the appellant not only in the writ petitions but also in proceedings before the Cooperative Tribunal under Section 76 and in election disputes under Section 61(3) and (4).

iii) That the learned Single Judge rendered such findings without there being any counter-affidavit on record either on behalf of the appellant Society or the Cooperative Department, and without affording the appellant an effective opportunity to place its complete defence on record. According to learned Senior Counsel, the impugned order has thereby substantially prejudiced the appellant's defence in the subject Writ Petitions and in other proceedings concerning the Society.

iv) That the learned Single Judge erred in holding that the reasons assigned in proceedings Rc.No.1333/2026-HG1 dated 12.03.2026 were irrelevant and disclosed non-application of mind, as the said proceedings were passed by the Commissioner for Cooperation while considering the objections raised by the concerned persons through their letter dated 09.02.2026 to the provisional voters' list, including objections relating to the exclusion of 887 members and the inclusion of the newly admitted 271 members in the voters' list.

v) That Section 21 of the 1964 Act governs disqualification and removal of members, whereas admission of members is governed by Section 19 read with Section 31-A(1). Section 76 provides a statutory remedy before the Cooperative Tribunal to a person aggrieved by a decision concerning admission, disqualification or removal of membership. Therefore, unless the respondents/writ petitioners succeed in setting aside disqualification and removal of the Petitioners by the General Body of the Society way back in the year 2024 or the admission of 271 members before the competent forum in challenging their disqualification and removal, they cannot seek inclusion of their names in the voters' list on the premise that they continue to be valid members of the Society.

vi) That Rule 22(6)(d) of the Telangana Cooperative Societies Rules, 1964 (hereinafter referred to as the '1964 Rules'), does not contemplate adjudication of complicated or disputed questions concerning the validity of membership. According to the learned Senior Counsel, the jurisdiction of the Commissioner while considering objections to the voters' list is limited, and the Commissioner is not required to undertake a roving enquiry into the validity of the General Body's decision under Section 21 or the Managing Committee's decision concerning admission of members.

vii) That pursuant to the order of this Court dated 23.02.2026 in in W.P.Nos.5171 and 5194 of 2026, the respondents/writ petitioners were afforded an opportunity of personal hearing on 17.03.2026. After considering the submissions, the Commissioner passed proceedings dated 18.03.2026, holding that the issue relating to removal of membership could not be adjudicated by him in exercise of the limited jurisdiction under Rule 22(6)(d) and that the respondents/writ petitioners had to avail the remedy under Section 76 of the 1964 Act.

viii) That the observation of the learned Single Judge that the respondents/writ petitioners claim for inclusion of their names in the voters' list upon submission of KYC documents, on par with the 40 members whose names were restored, had not been

considered, is misplaced. It is contended that the cases of the respondents/writ petitioners and the said 40 members are not comparable, as the memberships of the latter had already been restored pursuant to a resolution of the General Body of the Society, whereas the respondents/writ petitioners memberships had not been so restored.

ix) That the respondents/writ petitioners approached this Court only after publication of the provisional voters' list and, according to the appellant, the nature of the interim relief sought in their earlier Writ Petitions, particularly the prayer seeking deferment/stay of the election notification, demonstrates that their proceedings had the effect of stalling the election process.

x) That the learned Single Judge proceeded on the basis of an alleged instance of restoration of the membership of one person in March 2026, along with the memberships of 40 other persons, despite there being no specific averment in the Writ Affidavit or supporting material establishing such restoration, and without affording the appellant an opportunity to controvert the said allegation by filing a counter-affidavit.

xi) That the learned Single Judge proceeded on the premise that the membership of the said person, along with 40 others, had been restored by the 2nd respondent/Commissioner in March

2026, and, treating the same as undisputed, held that non-inclusion of the respondents/writ petitioners in the voters' list was discriminatory and violative of Article 14. The appellant, however, contends that the respondents/writ petitioners were not similarly situated to the said 40 members, whose memberships had earlier been restored pursuant to the General Body resolution.

xii) That the learned Single Judge, in the impugned interim order, recorded conclusive findings that the disqualification and removal of the respondents/writ petitioners were illegal, arbitrary and irrational, notwithstanding that the determination of validity of such disqualification, involved disputed questions of fact requiring examination of the material and evidence on both sides. According to learned Senior Counsel, such questions fall for adjudication before the competent Cooperative Tribunal under Section 76 of the 1964 Act, which provides the statutory remedy against a decision taken under Section 21 of the said Act.

xiii) That prior to the General Body resolution disqualifying and removing the respondents/writ petitioners show-cause notices dated 15.02.2024 were issued to them through registered post with acknowledgment due, calling upon them to show cause

before the General Body as to why they should not be disqualified and removed from the Society.

xiv) That the notices were addressed to the known addresses of the respondents/writ petitioners maintained in the records of the Society, most of which were also the addresses disclosed by them in the cause titles of the respective Writ Petitions. Further, after the General Body passed the resolution, a communication dated 29.08.2024, along with a copy of the resolution, was also sent to the respondents/writ petitioners through registered post with acknowledgment due at the same addresses.

xv) That the respondents/writ petitioners were afforded an opportunity to make their representations before the General Body and that the decision of the General Body was thereafter duly communicated to them. Learned Senior Counsel contended that the procedure contemplated under Section 21 of the 1964 Act was duly followed and that the contrary finding recorded by the learned Single Judge was arrived at without considering the aforesaid submissions of the appellant-Society. It is further contended that, in the absence of a counter-affidavit and supporting material from the appellant-Society on record, the learned Single Judge ought not to have recorded conclusive findings on the validity of the disqualification and removal at the interim stage.

xvi) That Section 19 read with Section 31-A(1) of the 1964 Act empowers the Managing Committee to admit members into the Society. It is contended that, in its meeting held on 14.10.2024, the Managing Committee resolved to admit 271 members, whose applications, together with the amounts towards share capital and admission fee, had already been received by the appellant-Society prior to the said meeting, some through cheques and some through Demand Drafts. According to the appellant, pursuant to the said resolution, memberships were issued to the said applicants; however, though the resolution contemplated issuance of 271 memberships, 270 memberships were issued prior to 24.10.2024, while the membership of one applicant was not issued on account of dishonour of the cheque.

xvii) That the learned Single Judge erred in holding that the appellant-Society had violated the order dated 18.03.2026 passed by this Court in C.C. No.650 of 2026. It is contended that, by that time, the voters' list was under consideration before the Commissioner and the direction contained in the said order was also addressed to the Commissioner. Therefore, there was no occasion for the appellant-Society to have violated the said order.

xviii) That this Court, by an *ex parte* interim order dated 24.10.2024 passed in W.P. No.29810 of 2024, stayed admission of new members into the Society. It is contended that, immediately upon coming to know of the said order, the appellant-Society filed an application seeking vacation of the same, which is still pending. According to the appellant, no person was admitted as a member after 24.10.2024 and all the 270 memberships in question had already been issued pursuant to the Managing Committee resolution dated 14.10.2024.

xix) That in the contempt proceedings in C.C. No.650 of 2026, the appellant-Society specifically contended that the 270 members had been admitted prior to the order dated 24.10.2024 and that their admission and share capital amounts had been received prior to the said order. Upon such submission, the learned Single Judge in the contempt proceedings directed that the election notification shall not include members who were admitted after 24.10.2024 or whose membership fee was received after the said date.

xx) That 270 members were admitted pursuant to the Managing Committee resolution dated 14.10.2024, and their admission and share capital amounts had already been received through Demand Drafts and cheques before the interim order dated 24.10.2024. Memberships had thus been issued before the said

order. In respect of about 170 members, though the Demand Drafts were credited to the Society's account subsequently, the date of such credit could not be treated as the date of receipt of the membership fee.

xxi) That the learned Single Judge erred in relying on the annual reports and bank statements to conclude that the membership amounts of the 270 members were received only after 24.10.2024. The appellant-Society submits that, though applications with cheques and Demand Drafts were received even thereafter, no memberships were granted in compliance with the interim order. The amounts so received were merely deposited and separately reflected as *'Suspense WP 29810'* in the accounts. Hence, such entries, by themselves, do not establish that the amounts relating to the 270 members were received only after 24.10.2024.

xxii) Reliance has been placed upon Section 25(1-A)(c) of the 1964 Act and it is contended that a member who has been a member of the Society for a continuous period of one year acquires the statutory right to vote. According to the appellant, since the 270 members had been admitted prior to 24.10.2024 and had completed more than one year of continuous membership by the time of the ensuing elections, they were statutorily entitled to exercise their right to vote. It is therefore contended that their

inclusion in the voters' list was lawful and did not contravene either the provisions of the 1964 Act or the orders dated 24.10.2024 and 18.03.2026 passed by this Court.

xxiii) That the findings of the learned Single Judge regarding the admission and inclusion of 270 members in the voters' list were rendered in violation of the principles of natural justice, as none of the affected members were impleaded, despite the appellant-Society specifically contending that they were necessary parties. At the least, some members ought to have been impleaded in a representative capacity. Nevertheless, the learned Single Judge recorded conclusive findings that their admission violated the order dated 24.10.2024 and their inclusion in the voters' list contravened the order dated 18.03.2026 in C.C.No.650 of 2026, without affording them an opportunity of hearing.

xxiv) That the learned Single Judge erred in holding that the Writ Petitions were maintainable on the premise that the respondents/writ petitioners right to vote and to contest in the elections had been infringed. It is contended that the right to vote or contest an election, including elections to Parliament and State Legislatures, is not a fundamental right, but a statutory right regulated by the governing enactment. According to learned Senior Counsel, the right to vote or contest an election to the Managing Committee of a Cooperative Society,

being a right created and regulated by the 1964 Act, cannot be elevated to the status of a fundamental right so as to justify interference under Article 226 of the Constitution on that ground alone.

xxv) That the grievances of the respondents/writ petitioners concerning inclusion or non-inclusion of their names in the voters' list and preparation of the electoral roll are matters governed by Rule 22 of the 1964 Rules, which, according to the appellant, constitutes a complete code governing the election process. It is therefore contended that any grievance concerning the electoral roll or alleged violation of the procedure prescribed under Rule 22 ought to be raised by way of an election dispute before the Cooperative Tribunal after declaration of the election results, in terms of Sections 61(3) and 61(4) of the 1964 Act.

xxvi) That Section 31-B(d) of the 1964 Act, mandates that elections to the Board/Managing Committee of a Society shall be conducted before expiry of the term of the outgoing Board/Managing Committee, so as to ensure that the newly elected members assume office immediately upon expiry of the term of the outgoing Committee. According to learned Senior Counsel, the said statutory mandate is akin to and similar in its object to the constitutional mandate contained in Article 243ZK of the Constitution of India. It is therefore submitted that the

statutory scheme requires the election process to be completed within the prescribed period and that the same ought not to be interdicted at an intermediary stage.

xxvii) That Section 61(3) of the 1964 Act provides that every dispute relating to, or in connection with, any election to the Committee of a Society shall be referred for decision to the Cooperative Tribunal, whose decision is final, while Section 61(4) contemplates that such election dispute shall be raised only after declaration of the election results. Learned Senior Counsel would therefore contend that the combined scheme of Sections 31-B(d), 61(3) and 61(4), read with Rule 22 of the 1964 Rules, is intended to ensure that the election process is completed without being interdicted at an intermediary stage and that grievances concerning the electoral roll or other election-related irregularities are adjudicated through the statutory election-dispute mechanism after declaration of the results.

xxviii) That the learned Single Judge has neither considered nor distinguished the judgments relied upon on behalf of the appellant Society, nor dealt with the submissions advanced on behalf of the Society and the learned Government Pleader in the analysis portion of the impugned interim order. It is contended that the learned Single Judge proceeded to record the conclusions primarily on the basis of the submissions advanced

on behalf of the respondents/writ petitioners without adverting to or dealing with the contrary submissions and authorities relied upon by the appellant.

xxix) That notwithstanding that the interlocutory applications had been finally disposed of by the impugned order, the main Writ Petitions were directed to be listed on 20.04.2026 for filing of counters under the caption *'part-heard'*. Learned Senior Counsel would contend that there was no occasion to post the matters under the said caption when none of the counsel appearing for the parties had sought such a course.

xxx) That none of the issues raised in the batch of Writ Petitions warranted interdiction of the election process under Article 226 of the Constitution, particularly when the election had reached its penultimate stage. It is contended that all stages of the election process, including filing and scrutiny of nominations and allotment of symbols to the candidates, had already been completed and that only polling, scheduled for 05.04.2026, remained to be conducted, followed by counting and declaration of results on the same day. According to learned Senior Counsel, interference at such an advanced stage of the election process was therefore wholly unwarranted and contrary to the settled principles governing judicial interference in elections.

xxxi) That the grievances of the respondents/writ petitioners regarding preparation of the electoral roll, including non-inclusion of their names or inclusion of members admitted in 2024 prior to the order dated 24.10.2024 in W.P.No.29810 of 2024, are matters amenable to an election dispute under Sections 61(3) and 61(4) of the 1964 Act after declaration of the results. Of the 887 members removed by the General Body, only 34 approached this Court, and that right from the filing of the first W.P.No.5171 of 2026, immediately after publication of the provisional voters' list on 09.02.2026, the respondents/writ petitioners sought to interdict the election process. The relief sought, therefore, was not merely to secure participation in the election or challenge their disqualification before the competent forum, but to stall the election process itself.

xxxii) That the final order dated 12.03.2026 in W.P.No.7417 of 2026 was not duly considered while passing the impugned interim order. The said order directed the Commissioner to consider the objections submitted by the petitioners therein to the proposed voters' list and forward the election proposals to the State Cooperative Election Authority, Telangana, for issuance of the election schedule. Though the impugned order referred to the earlier direction regarding consideration of objections, it overlooked the further direction to proceed with the election

process. Thus, the impugned interim order staying the elections is inconsistent with the earlier order of the same learned Single Judge.

xxxiii) The learned Senior Counsel in support of its case has placed reliance of the following decisions:

a. *Jubilee Hills Co-operative House Building Society Ltd v. District Collector Co-operation cum Election Authority*[1] (paragraph 12)
b. *M.A.Sami Khan v. District Collector*[2]
c. *Kaushal Kishore and another v. The State of Bihar and others*[3]
d. *Shahi K Jospeh v. V. Viswanath and others*[4] (paragraph 14)
e. *Keecheri Service Co-operative Bank Ltd v. Ramesh.M.M*[5]
f. *Yadishwar Nakka v. The Election Commission of India*[6]
g. *Ram Chandra Choudhary and others v. Roop Nagar Dugdh Utpadak Sahakari Samiti Limited and others*[7]
h. *Andhra Pradesh State Financial Corporation v. K.V.Ramana Murthy and another*[8] (paragraph 22)
i. *Sitarama Marine Fishermen Co-operative Society v. Commissioner of Fisheries*[9]
j. *Gujarat University v. Shri N.U. Rajguru & Others*[10]

Submissions on behalf of the respondents/writ petitioners

16. The learned Senior Counsel appearing for the respondents/writ petitioners have advanced the following submissions:

---

[1] 1992 1 AndhWR 783
[2] 1992 1 ALT 611
[3] 2016 2 PLJR 604
[4] (2016) 4 SCC 429
[5] 2020 1 KHC 167
[6] W.P.No.34083 of 2025 dated 11.11.2025
[7] Civil Appeal No.4352 of 2026 dated 10.04.2026
[8] 2017 4 ALT 285
[9] 2013 SCC OnLine AP 960
[10] 1987 (Supp) SCC 512

i) That the order dated 18.03.2026 passed by the 2nd respondent and the consequential election notification dated 18.03.2026 issued by the 3rd respondent were issued without following the procedure contemplated under Rules 22(6), 22(7) and 22(8A) of the 1964 Rules. According to learned Counsel, the manner in which the proceedings were conducted discloses a pre-determined approach and absence of independent application of mind on the part of the concerned authorities, thereby rendering their actions contrary to the statutory procedure governing preparation and certification of the voters' list and commencement of the election process.

ii) That the provisional voters' list was published on 09.02.2026, whereupon the respondents/writ petitioners submitted their objections on 09.02.2026 and 14.02.2026. As no effective action was taken thereon, the respondents/writ petitioners approached this Court by filing W.P.Nos.5171 and 5194 of 2026. By order dated 23.02.2026, this Court granted liberty to the respondents/writ petitioners to submit representations to the 2nd respondent for inclusion of their names in the voters' list and directed that the same be considered, after affording an opportunity of hearing to the respondents/writ petitioners as well as the Society.

iii) That pursuant to the aforesaid order, the respondents/writ petitioners were issued notices on 05.03.2026 calling them for personal hearing on 17.03.2026. However, when the concerned respondents/writ petitioners appeared for the hearing on 17.03.2026, they were informed that their representations had already been rejected by proceedings bearing Rc.No.1333/2026-HG1 dated 12.03.2026, even before they were afforded the opportunity of personal hearing. Learned Counsel would submit that such course of action demonstrates that the representations were dealt with in a pre-determined manner and that the opportunity of hearing directed by this Court was rendered illusory.

iv) That despite this Court's direction dated 23.02.2026 to consider the respondents/writ petitioners' representations after hearing them, the 2nd respondent rejected their claims on 18.03.2026, holding that the validity of their disqualification and removal could be adjudicated only by the Cooperative Tribunal under Section 76 of the 1964 Act. It is contended that the 2nd respondent thereby failed to discharge his statutory duty under Rule 22(6)(d) to consider objections and verify and certify the eligible voters' list, rendering the impugned orders arbitrary and contrary to this Court's directions.

v) That the Constitutional restrictions governing interference with elections under Articles 329 and 243 of the Constitution operate in the context of elections to Parliament, State Legislatures and local bodies and do not constitute an absolute bar against judicial review of elections to Cooperative Societies, which are creatures of statute.

vi) That disqualification or removal of a member merely on account of failure to submit KYM/KYC is not contemplated either under the 1964 Act or under the Bye-laws of the appellant-Society. It is contended that no valid resolution as contemplated under Section 21 of the 1964 Act was passed for disqualification or removal of the respondents/writ petitioners and that the alleged action was neither duly communicated to them nor preceded by an effective opportunity of hearing.

vii) That the procedure contemplated under the proviso to Section 21(3) of the 1964 Act was not followed in the case of the respondents/writ petitioners. According to learned Counsel, the respondents/writ petitioners were neither issued notices calling upon them to submit the requisite KYC/KYM documents nor communicated any order allegedly disqualifying or removing them from the membership of the appellant-Society. It is therefore contended that, in the absence of compliance with the statutory procedure and communication of the alleged decision,

the respondents/writ petitioners continued to remain members of the appellant-Society and were consequently entitled to have their names included in the voters' list.

viii) That an order which has not been duly communicated to the person affected cannot be relied upon to divest such person of an existing right or to produce adverse civil consequences against him.

ix) That there has been a clear infraction of Rule 22(6) of the 1964 Rules. It is contended that immediately upon passing the orders disposing of the objections under Rule 22(6)(d), the authorities proceeded to issue the election notification on the very same day under Rule 22(8A), without following the intervening procedural requirements contemplated under the relevant provisions of Rule 22. According to learned Counsel, the statutory procedure was thereby bypassed and the election process was set in motion without due compliance with the requirements prescribed under the Rules.

x) That the Election Notification dated 18.03.2026 does not disclose the appointment of the Election Officer and supporting staff in the manner contemplated under Rule 22(8A)(iii) and (vi). It is therefore contended that the notification was issued without compliance with the statutory requirements governing the constitution of the election machinery.

xi) By placing reliance upon the submission made on instructions on behalf of the 2nd respondent that the procedure contemplated under Rule 22(7) had not been followed before issuance of the Election Notification. According to learned Counsel, such submission itself demonstrates non-compliance with the statutory procedure and, consequently, renders the action of the authorities in proceeding with the election process arbitrary and vitiated by *mala fides*.

xii) That the respondents/writ petitioners were discriminated against, as the memberships of 40 similarly situated persons were restored upon submission of KYC documents before publication of the provisional voters' list, and another member's membership was allegedly restored in March 2026, while their requests for restoration and inclusion in the voters' list were rejected. Such differential treatment, without a rational basis, is arbitrary and violative of Article 14 and deprives them of their statutory right to vote and, subject to eligibility, contest the election.

xiii) That the appellant-Society had earlier approached this Court by filing W.P. Nos.14099 and 22864 of 2020, seeking revision of the voters' list for inclusion of the names of members who had been excluded therefrom, and had obtained an order in its favour. It is therefore contended that the appellant-Society

cannot now adopt a contrary stand and oppose the respondents/writ petitioners request for inclusion of their names in the voters' list. According to learned Counsel, such inconsistent conduct, particularly in the context of the impending elections, demonstrates arbitrariness and mala fides on the part of the incumbent management.

xiv) That wherever a statute makes communication of an order a necessary requirement for altering an existing legal status or for enabling an affected person to avail a statutory remedy, such order must necessarily be duly communicated to the person concerned. In the present case, it is contended that the proviso to Section 21(3) of the 1964 Act contemplates communication of the resolution and an opportunity to the concerned member to make a representation before the membership can be brought to an end by way of disqualification or removal. Thus, according to learned Counsel, communication of the resolution is an essential requirement before the status of membership can be treated as validly terminated.

xv) It is settled law that an order not duly communicated cannot create rights in favour of one party or extinguish existing rights of an affected person. In the present case, the minutes of the Annual General Body Meeting dated 29.09.2024 itself record that notices to several members were returned unserved. Thus,

the alleged resolution of disqualification and removal was never effectively communicated to the respondents/writ petitioners or other affected members and, consequently, could not divest them of their existing membership rights.

xvi) The right to vote under Section 25 of the 1964 Act is a statutory right available to every eligible member. The respondents/writ petitioners, along with about 50 similarly placed members, sought inclusion in the voters' list on the same basis as the 40 members whose memberships were restored upon submission of KYC documents; however, their request was declined. Since they were neither validly disqualified nor removed on any ground contemplated under the 1964 Act, they continue to be entitled to inclusion in the voters' list and, subject to eligibility, to exercise their statutory right to vote and contest the election.

xvii) That unless appropriate directions are issued by this Court restraining the respondents/writ petitioners from proceeding with the election without first considering the their objections and representations and determining their entitlement to inclusion in the final voters' list, the respondents/writ petitioners would suffer irreparable prejudice. According to learned Counsel, continuation of the election process without considering their claims would adversely affect the fairness of

the electoral process and have consequential ramifications on the affairs and administration of the 4th respondent Society.

xviii) Though the interim order dated 24.10.2024 in W.P.No.29810 of 2024 was passed *ex parte*, the Election Notification dated 18.03.2026 included members admitted after the said order, contrary to the interim order and the consequential directions dated 18.03.2026 in C.C.No.650 of 2026, which specifically prohibited inclusion of members admitted after 24.10.2024, including those whose membership fee was received thereafter.

xix) That W.P.No.8745 of 2026 specifically challenged the inclusion of 271 such members in the voters' list. Though the appellant-Society claimed that they were admitted pursuant to the Managing Committee's resolution dated 14.10.2024, the Society's financial records and Annual Accounts for 2024–2025, placed before the General Body Meeting dated 21.09.2025, continued to reflect their share capital in the *'Suspense Account'*, casting doubt on the validity and timing of their admission.

xx) The learned Senior Counsel in support of its case has placed reliance of the following decisions:

a. *Midnapore Peoples Cooprative Bank Ltd v. Chunilal Nanda and others*[11] (Paragraphs 9, 15, and 16)
b. *K.E.Sthalasai v. Kancherla Venkata Ramana and others*[12]

---

[11] (2006) 5 SCC 399
[12] W.A.Nos.338 and 697 of 2024 dated 27.02.2025

c. *L. Ramakrishnappa v. Presiding Officer*[13]
d. *Tadem Satish v. District Collector*[14]
e. *Election Commission of India v. Ashok Kumar*[15] (Paragraph 32)
f. *Union Territory of Ladakh v. Jammu and Kashmir National Conference*[16]
g. *Bachhittar Singh v. State of Punjab*[17] (Paragraph 10)
h. *State of Punjab v. Amar Singh Harika*[18], (Paragraph 11)
i. *Bipromasz Bipron Trading SA v. Bharat Electronics Limited*[19], (Paragraphs 30 to 40)
j. *CCE* v. *M.M. Rubber & Co.*[20], (Paragraph 13).
k. *Union of India v. N. Murugesan*[21]

Submissions on behalf of the respondent Nos.1 to 3 /official respondents

17. The learned Government Pleader appearing for the respondent Nos.1 to 3 have advanced the following submissions:

i) That the 271 members were admitted to the appellant-Society prior to the interim order dated 24.10.2024 passed by this Court in W.P.No.29810 of 2024. It is contended that the admission fee in respect of the said members had been collected on or before 14.10.2024 through cheques and demand drafts, though some of the instruments might have been realised only after 24.10.2024.

---

[13] 1991 SCC OnLine Kar 423
[14] 2007 (4) ALD 328
[15] (2000) 8 SCC 216
[16] 2023 SCC OnLine 1205
[17] AIR 1963 SC 395
[18] AIR 1966 SC 131
[19] (2012) 6 SCC 384
[20] 1992 Supp (1) SCC 471
[21] (2022) 2 SCC 25

ii) That any person aggrieved by the admission of a member under Section 19 of the 1964 Act has a remedy before the Cooperative Tribunal under Section 76 of the 1964 Act. Likewise, any dispute relating to removal of membership under Sections 21 and 23 of the 1964 Act is also amenable to the jurisdiction of the Cooperative Tribunal under Section 76 of the Act.

iii) That there has been no violation of the order dated 24.10.2024 passed by this Court in W.P. No. 29810 of 2024, as alleged by the respondents/writ petitioners.

iv) That insofar as the disqualification and removal of members under Section 21(3) of the 1964 Act are concerned, the validity and merits thereof fall for consideration before the Cooperative Tribunal under Section 76 of the Act, and the 2nd respondent does not have jurisdiction to adjudicate upon or review the correctness of such removal.

v) That payment of the admission fee is a prerequisite for admission to membership, whereas collection and payment of share capital from the members are subsequent to such admission.

vi) That the failure of the Registrar or the State Cooperative Election Authority to deposit any amount towards election expenditure cannot be treated as illegal, since the Election Authority had permitted the appellant-Society to incur the

expenditure relating to the conduct of the elections and to pay remuneration to the staff deputed for election purposes.

vii) That under Rule 22(8A)(ii) of the 1964 Rules, the Registrar has sufficient staff available for deputation for election purposes. It is further submitted that the State Cooperative Election Authority is functioning in the same premises as the Special Commissioner for Cooperation and Registrar of Cooperative Societies, Telangana, Hyderabad and, therefore, no separate requisition for deputation of staff was required to be made by the Election Authority.

viii) That in compliance with the directions issued by this Court in W.P.Nos.5171 and 5194 of 2026, separate orders were passed by the 2nd respondent on 18.03.2026, after affording the respondents/writ petitioners an opportunity of personal hearing on 17.03.2026.

18. We have taken note of the respective submissions urged and the material placed on record, including written submissions.

Consideration by this Court

Nature of the Impugned Order and Maintainability of the Writ Appeals

19. Before considering the merits, the preliminary objection regarding maintainability of the present Writ Appeals and the nature

of the impugned order dated 02.04.2026 requires consideration. The respondents/writ petitioners' contention that the order is purely interlocutory and does not constitute a *'judgment'* under Clause 15 of the Letters Patent, as it neither finally adjudicates the parties' rights nor determines their obligations, but merely grants an interim measure pending final adjudication, cannot be accepted, as the test for determining whether an interlocutory order constitutes a *'judgment'* for the purposes of Clause 15 of the Letters Patent is no longer *res integra.*

20. In ***Shah Babulal Khimji v. Jayaben D. Kania***[22]**,** the Hon'ble Supreme Court held that the expression *'judgment'* occurring in Clause 15 of the Letters Patent has a wider connotation than the expression *'judgment'* as defined under Section 2(9) of the CPC. It has held that an interlocutory order may constitute a judgment where it possesses characteristics of finality and adversely affects a valuable right of a party directly and immediately, not merely indirectly or remotely. The said relevant portion of the decision is extracted hereunder:

> ***113.*** *Thus, under the Code of Civil Procedure, a judgment consists of the reasons and grounds for a decree passed by a court. As a judgment constitutes the reasons for the decree it follows as a matter of course that the judgment must be a formal adjudication which conclusively determines the rights of the parties with regard to all or any of the matters in controversy. The concept of a judgment as defined by the Code of Civil Procedure seems to be rather narrow and the limitations engrafted by sub-section (2) of Section 2 cannot be physically imported into the definition of the word "judgment" as used*

[22] (1981) 4 SCC 8

in clause 15 of the letters patent because the letters patent has advisedly not used the terms "order" or "decree" anywhere. The intention, therefore, of the givers of the letters patent was that the word "judgment" should receive a much wider and more liberal interpretation than the word "judgment" used in the Code of Civil Procedure. At the same time, it cannot be said that any order passed by a trial Judge would amount to a judgment; otherwise there will be no end to the number of orders which would be appealable under the letters patent. It seems to us that the word "judgment" has undoubtedly a concept of finality in a broader and not a narrower sense. In other words, a judgment can be of three kinds:

******

******

(3) Intermediary or interlocutory judgment.— Most of the interlocutory orders which contain the quality of finality are clearly specified in clauses (a) to (w) of Order 43 Rule 1 and have already been held by us to be judgments within the meaning of the letters patent and, therefore, appealable. There may also be interlocutory orders which are not covered by Order 43 Rule 1 but which also possess the characteristics and trappings of finality in that, the orders may adversely affect a valuable right of the party or decide an important aspect of the trial in an ancillary proceeding.....

(Emphasis supplied)

21. The said principle was reiterated and explained in ***Midnapore Peoples'*** case (supra 20) wherein the Hon'ble Supreme Court classified interlocutory orders into different categories. The said relevant portion of the decision is extracted hereunder:

> ***15.*** *Interim orders/interlocutory orders passed during the pendency of a case, fall under one or the other of the following categories:*
>
> *(i) Orders which finally decide a question or issue in controversy in the main case.*
>
> *(ii) Orders which finally decide an issue which materially and directly affects the final decision in the main case.*
>
> *(iii) Orders which finally decide a collateral issue or question which is not the subject-matter of the main case.*
>
> *(iv) Routine orders which are passed to facilitate the progress of the case till its culmination in the final judgment.*
>
> *(v) Orders which may cause some inconvenience or some prejudice to a party, but which do not finally determine the rights and obligations of the parties.*

22. In view of the aforesaid principles, the nomenclature of an order as *'interim'* or *'interlocutory'* is not determinative; its substance, effect and consequences must be examined to ascertain whether it bears

the trappings of finality on an issue materially affecting the parties' rights. Tested on this principle, the impugned order cannot be treated as a routine interlocutory order. By allowing the interlocutory applications, the learned Single Judge stayed the election process of the Managing Committee of the appellant-Society, which had reached its penultimate stage, with polling scheduled for 05.04.2026, thereby bringing the election process to an immediate halt.

23. More importantly, while granting interim relief, the learned Single Judge recorded findings on matters forming the very foundation of the pending Writ Petitions, including the validity of the disqualification and removal under Section 21 of the 1964 Act, the procedure followed by the General Body, the inclusion of 270 members in the voters' list, the alleged violation of the order dated 24.10.2024 in W.P.No.29810 of 2024 and subsequent proceedings in C.C.No.650 of 2026, and the exercise of power under Rule 22(6)(d) of the 1964 Rules. These findings directly affect the rights and contentions of the parties and may prejudice the final adjudication. The order also has immediate consequences for the 270 affected members, who were not impleaded in the proceedings.

24. Further, the prejudice to the appellant Society is also accentuated by the fact that the term of its elected Managing Committee expired on 20.03.2026, while the election process which had already commenced pursuant to the notification dated

18.03.2026 has been interdicted at the stage immediately preceding polling. The consequence is that the election process has been stalled at a stage when the statutory requirement of conducting elections before expiry of the term of the outgoing Managing Committee assumes significance under Section 31-B(d) of the 1964 Act.

25. In ***K.V. Ramana Murthy***'s case (supra 8), this Court, held that an interlocutory order causing grave prejudice and directly affecting a valuable right may constitute a *'judgment'*. The said relevant portion of the decision is extracted hereunder:

> *22. The law laid down, in the aforesaid judgments, is that, even where the interim order passed by the learned Single Judge does not finally decide an issue, but materially and directly affects the appellant, it can be regarded as a judgment under Clause 15 of the Letters Patent as it affects the vital and valuable rights of the parties and causes serious injustice to them. The order under appeal, whereby the appellants have been directed to continue the respondent-writ petitioners beyond the statutorily prescribed age of superannuation of 58 years, would undoubtedly cause substantial prejudice to the appellant as they are required to continue, in the services of the Corporation, even those employees who have retired from service. We see no reason, therefore, to non-suit the appellant on this ground.*
>
> *(Emphasis supplied)*

26. Applying the aforesaid principles, the impugned order is not a mere procedural or routine interlocutory order. It directly affects the election process, materially impacts the rights of the appellant-Society and members whose electoral status is in issue, and records findings on matters central to the pending Writ Petitions. It therefore bears sufficient trappings of finality on issues materially affecting the parties' rights and is, therefore, amenable to appeal under Clause 15 of the Letters Patent.

Interference with Election Process at Intermediary Stage

27. In the present case, it is relevant to observe as to whether the learned Single Judge was justified in interdicting the election process at the penultimate stage, when the election notification had already been issued and polling was scheduled to be held on 05.04.2026. The legal position regarding judicial interference with an ongoing election process is well settled. Once the election process has commenced, a Constitutional Court should ordinarily refrain from interfering particularly where the statutory scheme provides an efficacious remedy for adjudication of election disputes after declaration of the results.

28. In ***N.P. Ponnuswami v. Returning Officer, Namakkal Constituency***[23] and ***Shri Sant Sadguru Janardan Swami v. State of Maharashtra***[24], the Hon'ble Supreme Court held that Courts should ordinarily refrain from interfering with the electoral process once it has commenced, including at intermediate stages such as preparation and finalisation of electoral rolls. This principle has also been consistently applied to elections under the 1964 Act. In ***Ch. Srinivas Rao v. District Collector/Election Authority***[25] this Court held that Rules 22 constitutes a complete code governing the election process. In ***Gudivada Cooperative Urban Bank Ltd. v. Sheik***

[23] AIR 1952 SC 64
[24] (2001) 8 SCC 509
[25] 2007 (3) ALD 197

Mahaboobi[26] this Court held that disputes relating to erroneous preparation of voters list can appropriately be adjudicated in an election petition on the basis of evidence adduced by parties and in ***Katta Sivaiah v. Government of A.P.***[27] this Court held that grievances relating to illegal; inclusion or exclusion of voters fall within the ambit of Section 61 (3) of the 1964 Act.

29. In ***Nanhoo Mal v. Hira Mal***[28], the Hon'ble Supreme Court held that the right to vote or to stand for election is a creature of statute and that the remedy against an election must be pursued in the manner prescribed by the statute. The Court accordingly disapproved interference at an intermediate stage where the statute provided an election remedy after completion of the process.

30. It is to be noted that the statutory scheme governing the present elections assumes significance in this regard. Section 31-B(d) of the 1964 Act requires that elections to the Managing Committee be conducted before expiry of the term of the outgoing Committee so that the newly elected body can assume office immediately upon expiry of the existing term. The election notification dated 18.03.2026 fixed 05.04.2026 as the date of poll. Therefore, the election process had already substantially progressed by the time the impugned interim order came to be passed.

---

[26] 2009 (1) ALT 174
[27] 2013 (4) ALT 265
[28] (1976) 3 SCC 211

31. Equally significant is the statutory remedy contained in Sections 61(3) and 61(4) of the 1964 Act. Section 61(3) provides for adjudication by the Cooperative Tribunal of every dispute relating to or in connection with an election to the Committee of a Society, while Section 61(4) contemplates reference of such dispute after declaration of the election results. Thus, the statutory scheme itself postpones adjudication of election disputes until the election process has culminated.

32. In the present case, the grievances of the respondents/writ petitioners primarily concern their exclusion from the voters' list, inclusion of 270 members therein, consideration of objections under Rule 22(6)(d), and alleged procedural violations in the election process. These issues are integrally connected with the election and, as contended, fall within the statutory election-dispute mechanism under Sections 61(3) and 61(4) of the 1964 Act.

33. Further, the dispute relating to the eligibility of the 270 members itself involves questions of fact concerning the date and manner of their admission and the receipt and realisation of the requisite amounts. Such questions, particularly when disputed by the parties, are more appropriately examined in proceedings where the parties have the opportunity to adduce evidence. The material placed before us also records the submission that such disputes cannot

appropriately be subjected to a roving or substantive enquiry in the summary proceedings under Rule 22(6)(d).

34. Moreover, the provisional voters' list was published on 09.02.2026 and the election notification issued on 18.03.2026, fixing the poll for 05.04.2026. By the time the impugned interim order dated 02.04.2026 was passed, filing and scrutiny of nominations and allotment of symbols had been completed, and the election had reached its penultimate stage. In these circumstances, having regard to Sections 31-B(d), 61(3) and 61(4) of the 1964 Act and Rule 22 of the 1964 Rules, the grievances of the respondents/writ petitioners could appropriately be adjudicated by the competent Cooperative Tribunal in an election dispute after declaration of the results. The availability of such efficacious statutory remedy, coupled with the advanced stage of the election, militates against its interdiction under Article 226 of the Constitution.

Scope of Rule 22(6)(d) of the 1964 Rules

35. The learned Single Judge has proceeded on the premise that Rule 22(6)(d) of the 1964 Rules contemplates "substantive adjudication of objections" and that the 2nd respondent-Registrar failed to discharge the mandatory duty cast upon him under the said provision. The said finding, in our considered view, requires examination in the context of the scope and ambit of Rule 22(6)(d).

36. Rule 22(6) of the 1964 Rules reads as follows:

22. Conduct of Elections to the Co-operative Societies
6) Voters List:
(a) The incumbent Managing Committee / Person In-charge Committee / Official Administrator(s)/Adhoc Committee of the society shall prepare and publish the list of members eligible to vote on the notice board of the society. It shall indicate the Sl. No., Admission Number/General Number, Date of Admission, Name of member, Father's Name, Village / Locality, Age, Community. Sex (Male/Female) along with the passport size photo of the member voter. Provided that in respect of Primary Agricultural Cooperative Credit Societies, Large Sized Cooperative Societies, Farmers Service Cooperative Societies and Cooperative Rural Banks, the list shall be prepared Revenue Village wise and territorial Constituency wise as indicated in Rule 22-A(3)(i)]
(b) The incumbent Managing Committee / Person In-charge Committee / Official Administrator(s)/Adhoc Committee of the society of the society shall invite the claims or objections from the members.
(c) The incumbent Managing Committee / Person In-charge Committee / Official Administrator(s)/Adhoc Committee of the society shall communicate the list of members eligible to vote to the Registrar for verification and approval.
(d) Registrar after due verification and duly calling for the objections shall certify the eligible voters list after necessary corrections so that it confirms to the provisions of the Act, Rules and Government directions issued if any in this regard.
(e) The incumbent Managing Committee / Person In-charge Committee / Official Administrator(s)/Adhoc Committee of the society shall submit eligible voters list of the society duly approved and certified by the Registrar along with the proposals specified in sub-rule (1) to the State Cooperative Election Authority.

A plain reading of Rule 22(6)(d) shows that the Registrar's role is to verify the eligible voters' list, consider objections and make necessary corrections to ensure compliance with the Act, Rules and Government directions. However, the provision does not confer adjudicatory jurisdiction to conclusively determine disputed questions of membership, disqualification or removal, particularly where such determination involves disputed facts and evidence.

37. The distinction between verification of the voters' list and substantive adjudication of a dispute concerning membership is material. The power under Rule 22(6)(d) is exercised in the course of the election process and is intended to ensure the voters' list

conforms to statutory requirements. It cannot be construed as conferring plenary jurisdiction to adjudicate upon the validity of antecedent decisions relating to admission, disqualification, or removal.

38. In ***K.V. Vijayakumar v. The Joint Registrar of Co-operative Societies***[29], the High Court of Kerala held that Returning Officer may conduct a summary enquiry only where objections are specific and definite against individual members and capable of verification with reliable material, but is not expected to undertake a roving enquiry. The said relevant portion of the decision is extracted hereunder:

> *16. ... The power to consider the objections has been conferred on the Returning Officer alone. There is nothing in the Act or Rules to show that he can delegate or abdicate his functions in favour of any authority of the Society. The Returning Officer is required to give his own ruling on the objection. He cannot rule out any objection or sustain it arbitrarily. In order to arrive at a proper decision it is open to him to conduct a summary enquiry to be satisfied about the sustainability or otherwise of the objection. But, he can do so only if the objections are specific and definite against each individual member which can be subjected to verification with reliable materials that may be made available to him by the objectors and the authorities of the Society. He is not expected to make a roving enquiry.*
>
> *(Emphasis supplied)*

39. Similarly, in ***Rabi Umamaheswara Rao v. The State of Andhra Pradesh***[30], this Court held that the Election Officer is not required to conduct an elaborate enquiry. In the present case, the 2nd respondent-Registrar, while considering the objections, held that the validity of the respondents/writ petitioners' membership, disqualification and removal could not be adjudicated in proceedings

---

[29] 1996 (1) KLT 285
[30] 2015 (6) ALT 87

under Rule 22(6)(d). Such an approach cannot be treated as failure to discharge his statutory duty. Whether the disqualification and removal were valid, whether the procedure under Section 21 of the 1964 Act was followed, and whether the Society's decision is sustainable are matters requiring adjudication on the relevant record and, where disputed, evidence. The statutory scheme provides an appropriate remedy before the Cooperative Tribunal under Section 76 of the 1964 Act.

40. The limited function of the Registrar under Rule 22(6)(d) must be distinguished from the adjudicatory jurisdiction of the competent forum over disputed questions of membership, disqualification or removal. The learned Single Judge's finding that Rule 22(6)(d) requires 'substantive adjudication of objections', and that the Registrar failed in his duty by declining to adjudicate the validity of the respondents/writ petitioners' disqualification and removal, cannot be sustained.

Disqualification and Removal of Members under Section 21 of the Act

41. The respondents/writ petitioners contention that their disqualification and removal from the appellant-Society are illegal on the ground that the procedure prescribed under Section 21 of the 1964 Act was not followed, that no notices were served upon them

and that they were not afforded an opportunity of making a representation before the General Body, does not merit acceptance.

42. Section 21 of the 1964 Act deals with disqualification for membership of a Society. Sub-section (3), as substituted by the A.P.Co-operative Societies (Second Amendment) Act, 2001 (Act No.22 of 2001), states hereunder:

> ***21. Disqualification for membership of society.—***
> *(1) A person shall be disqualified for being admitted as, and for being a member, if he —*
>
> *(a) is an applicant to be adjudicated an insolvent or is an of society insolvent; or*
>
> *[(aa) is not eligible for membership under Section 19;]*
>
> *(b) has been sentenced for any offence involving moral turpitude, such sentence not having been reversed and a period of three years has not elapsed from the date of the expiration of the sentence; or*
>
> *(c) is a paid employee of the society or of its financing bank or of any society for which it is the financing bank; or*
>
> *(d) has been expelled from membership under this Act and a period of one year has not elapsed from the date of such expulsion; [or]*
>
> *[(e) is carrying on business of such kind as the Registrar may, by general or special order, declare to be a business which is in conflict with the objects or interests of the society;] [or*
>
> *(f) as such member fails to transact such minimum business or utilise minimum services or facilities in a year as may be specified in the bye-laws; or in respect of Housing societies if the member sold out the plot alloted to him/her; or*
>
> *(g) fails to attend two consecutive annual general body meetings without leave of absence; or*
>
> *(h) fails to give information relevant to him to the society as specified in the bye-laws;]*
>
> *[(i) is/was a director or member of the Managing Committee of the society which fails to handover all the records of the society to the successor Managing Committee.]*
>
> *(2) The provisions of clause (b) of sub-section (1) shall not apply to a person seeking admission to, or to a member of, a society exclusively formed for the reclamation of such class of persons [as may, from time to time, be notified by the Government in the Telangana Gazette.] The provisions of clause (c) of sub-section (1) shall not apply to a person seeking admission to, or to a member of—*
>
> *(i) a society which has as its principal object the provision of employment to its members; or*
>
> *(ii) such other society as may be prescribed.*

[(3) where any person, who is not eligible for being admitted as member has been admitted as member or where the member who is disqualified to continue as such under sub-section (1) is continued as member, he shall be removed by the General body on its own motion or on a representation made to it by any member of a society or its federal society or its financing bank:

Provided that no member shall be removed under this sub-section unless he had an opportunity of making a representation against the proposed action. A copy of the resolution removing the member shall be communicated to such person and on such communication, he shall be deemed to have ceased to be a member of the society.]

(Emphasis supplied)

43. The material on record shows that show-cause notices dated 15.02.2024 were sent by registered post to the respondents' known addresses available in the Society's records, calling upon them to submit their explanation and appear before the General Body. After the General Body's decision, communication dated 29.08.2024 enclosing the resolution was also sent to the same addresses. While acknowledgments were received in respect of some notices, some postal articles were returned for various reasons. The subsequent communication enclosing the resolution was likewise addressed to the best known address of the members.

44. In ***N. Paraeswaran Unni v. G. Kannan***[31], the Hon'ble Supreme Court, recognised the statutory presumption under Section 27 of the General Clauses Act where a notice is correctly addressed and sent by registered post. The principle, though rendered in the context of the statutory provision then under consideration, lends support to the general proposition that dispatch of a notice by registered post to the correctly recorded address cannot, in the absence of circumstances

[31] (2017) 5 SCC 737

rebutting the statutory presumption, be equated with non-communication merely because the addressee disputes actual receipt.

45. The amendment to Section 21(3) by Act No.22 of 2001 vested the power to remove members in the General Body. In ***Sitarama Marine Fishermen Co-operative Society***'s case (Supra 9) the Hon'ble Supreme Court has held Rule 20 became redundant following the amendment, as subordinate legislation cannot operate contrary to the parent statute.

46. The statutory requirement under Section 21(3) is that the concerned member be afforded an opportunity of representation and the resolution be communicated. On the material available, the appellant-Society complied with these requirements.

47. At the same time, whether the individual respondents/writ petitioners were rightly disqualified under Section 21(1), whether the factual basis for such disqualification existed, and whether the Society followed the prescribed procedure are matters requiring examination of records and, involve disputed questions of fact. Such issues cannot appropriately be adjudicated in a summary proceeding under Article 226, particularly when a specific appellate remedy is available under Section 76 of the 1964 Act.

Admission of 270 Members and Alleged Violation of Court Orders

48. The respondents/writ petitioners challenge the inclusion of 270 members as being in violation of the interim order dated 24.10.2024 in W.P.No.29810 of 2024 and the subsequent order dated 18.03.2026 in C.C.No.650 of 2026. However, the material on record indicates that the Managing Committee, on 14.10.2024, resolved to admit 271 members whose applications and requisite amounts had been received prior to the said meeting, some through cheques and others through Demand Drafts. Pursuant to the resolution, 270 memberships were issued before 24.10.2024. The *ex parte* interim order dated 24.10.2024 restrained further admissions, against which the Society filed a petition seeking vacation of the order, which remains pending. No membership was granted after 24.10.2024.

49. Further, the distinction between the date on which applications and payment instruments were tendered/received and the date on which the amounts were actually realised and credited must be maintained. The appellant contends that the payments were received before 24.10.2024, though some were credited subsequently. The official respondents also state that the admission fee was collected on or before 14.10.2024, while some instruments may have been realised thereafter. The respondents rely on the financial records to contend that the amounts remained in a *'Suspense Account'* and were realised

only after 24.10.2024. Therefore, the precise date of receipt/realisation gives rise to a disputed question of fact.

50. Such a disputed question assumes significance in the context of the order dated 18.03.2026 passed in C.C.No.650 of 2026, whereby the election notification was directed not to be issued with a voters' list containing members admitted after 24.10.2024 or members whose membership fee was received after the said date. The scope and effect of the said direction have necessarily to be examined with reference to the actual dates of admission and receipt of the relevant amounts.

51. Nevertheless, insofar as the date of admission is concerned, the material presently placed before this Court indicates that the 270 memberships were issued pursuant to the Managing Committee resolution dated 14.10.2024 and prior to the interim order dated 24.10.2024. The mere fact that some of the instruments were credited or realised by the Society's bank subsequently would not, by itself, establish that the memberships themselves were granted after the interim order.

52. Section 25(1-A)(c) of the 1964 Act provides for the right of a member to vote upon completion of one year of continuous membership. The appellant Society contends that, since the 270 members had been admitted prior to 24.10.2024 and had completed more than one year of membership by the date of the ensuing elections, they were eligible to exercise their statutory right to vote.

53. It is also relevant that the order dated 18.03.2026 in C.C.No.650 of 2026 restrained inclusion in the election notification, members admitted after 24.10.2024 or whose membership fee was received thereafter. The appellant-Society disputes that any such members were included in the voters' list. Whether subsequent realisation or credit of the instruments constituted *'receipt'* of the membership fee, and consequently whether inclusion of the 270 members violated the orders of this Court, involves disputed questions of fact. These issues cannot appropriately be conclusively determined in the present proceedings, particularly when the election was at an advanced stage and the affected members were not impleaded. In the absence of complete adjudication of these disputed facts and without affording the affected members an opportunity of hearing, the learned Single Judge was not justified in conclusively holding that inclusion of the 270 members violated the orders dated 24.10.2024 and 18.03.2026.

Non-Impleadment of Affected Parties and Violation of Principles of Natural Justice

54. The respondents/writ petitioners challenged the inclusion of 270 members without impleading them as parties. It is a fundamental principle of natural justice that a person whose rights are likely to be adversely affected must be afforded an opportunity of hearing, as held in ***Fertilizers & Chemicals Travancore Ltd. v. Regional Director,***

ESIC[32]. Any finding in respect of the 270 members that their admission was contrary to the order dated 24.10.2024 passed in W.P.No.29810 of 2024 or that their inclusion was impermissible would directly affect their subsisting membership rights and statutory right to vote thereby affecting their rights, without affording them an opportunity of hearing in compliance with the principles of Natural Justice.

55. In ***Jubilee Hills Co-operative House Building Society***'s case (supra 1), this Court held that disputes involving contentious questions of fact concerning admission of members and their inclusion in the voters' list cannot appropriately be adjudicated in the absence of the affected parties. The said principle was affirmed by the Division Bench in ***M.A. Sami Khan***'s case (supra 2).

56. The 270 members were neither unidentified nor indeterminate; their names, membership numbers and dates of admission were reflected in the voters' list relied upon by the respondents/writ petitioners. They could, therefore, have been impleaded individually or, at least, in a representative capacity. Nevertheless, the learned Single Judge recorded findings adverse to them, holding that their admission violated the order dated 24.10.2024 in W.P.No.29810 of 2024 and their inclusion in the voters' list contravened the order dated 18.03.2026 in C.C.No.650 of 2026. Such findings directly affect

---

[32] (2009) 9 SCC 485

their membership and right to participate in the elections, without affording them an opportunity of hearing.

57. The non-impleadment of the affected members coupled with the recording of findings directly prejudicial to their membership and voting rights, therefore assumes significance not as a mere technical defect but as a matter implicating the fundamental requirement of fair hearing.

Nature of the Right to Vote in Cooperative Society Elections

58. The learned Single Judge appears to have proceeded on the premise that the right to vote and the right to contest elections to the Managing Committee of a Cooperative Society are Fundamental Rights. Such premise is legally unsustainable. Neither right is a Fundamental Right; both are statutory rights operating in distinct fields. While the right to vote enables an eligible member to exercise his franchise under the statutory scheme, the right to contest is a distinct right subject to the qualifications, eligibility conditions and disqualifications prescribed by the statute, rules and bye-laws.

59. In ***Shri N.U. Rajguru*** (supra 10), the Hon'ble Supreme Court held that the right to vote, contest or challenge an election is a statutory right and, where the statute provides a specific forum for election disputes, the aggrieved person must pursue that remedy. In the present case, the respondents/writ petitioners' claimed entitlement to participate in the election arises only under the 1964

Act and the Rules, and is subject to the prescribed conditions of membership, eligibility and disqualification. Mere exclusion from the voters' list, therefore, does not transform the dispute into one involving enforcement of a Fundamental Right. Therefore, the learned Single Judge erred in treating the statutory rights to vote and contest the election to the Managing Committee as Fundamental Rights and, on that basis, invoking Article 226 despite the specific statutory mechanism available for resolution of election disputes.

Efficacious Alternative Remedy under Sections 61(3) and 61(4) of the 1964 Act

60. Section 61(3) of the 1964 Act provides that every dispute relating to, or in connection with, any election to the Committee of a Society shall be referred for decision to the Cooperative Tribunal, whose decision shall be final. Section 61(4) further stipulates that no such election dispute shall be referred until after the date of declaration of the election results.

61. The scheme of Sections 61(3) and 61(4), read with Section 31-B(d) of the 1964 Act, is intended to ensure that disputes arising in connection with an election do not operate to arrest or derail the electoral process and that the election is completed in accordance with the statutory timetable. Therefore, the legislative scheme, contemplates adjudication of election disputes after declaration of the

results, rather than interruption of the electoral process at an intermediary stage.

62. The grievances of the respondents/writ petitioners concern exclusion from the voters' list, inclusion of certain members, validity of membership and disqualification, and the consequential entitlement to participate in the election. These issues are directly connected with the election and fall within the scope of an election dispute under Section 61(3) of the 1964 Act. Accordingly, the respondents/writ petitioners have an efficacious statutory remedy under Section 61(4) to raise such grounds before the Cooperative Tribunal after declaration of the election results.

63. In the present case, no exceptional circumstance has been demonstrated warranting interference to halt the ongoing election process. The grievances of the respondents/writ petitioners can be effectively adjudicated through an election dispute before the Cooperative Tribunal under Sections 61(3) and 61(4) of the 1964 Act. The availability of this efficacious statutory remedy militates against interference under Article 226 at the intermediary stage. Therefore, the learned Single Judge ought to have declined to stay the election process, and the impugned interim order cannot be sustained.

The Mandate of Section 31-B(d) of the 1964 Act

64. Section 31-B(d) of the 1964 Act mandates that elections to the Board/Managing Committee of a Society shall be conducted before

the expiry of the term of the existing Managing Committee, so as to ensure that the newly elected members assume office immediately upon expiry of the term of the outgoing Committee.

65. The aforesaid statutory mandate is intended to ensure continuity in the democratic and representative administration of a Cooperative Society and to prevent the continuation of an outgoing Managing Committee beyond its prescribed tenure. Though Article 243ZK of the Constitution embodies a similar constitutional principle in the context of cooperative societies, the present matter is governed by the specific statutory mandate contained in Section 31-B(d) of the 1964 Act, which remains binding upon the authorities concerned.

66. In the present case, the Managing Committee of the appellant Society was elected on 21.03.2021 and its term expired on 20.03.2026. The election process had already been set in motion and the election notification was issued on 18.03.2026, fixing 05.04.2026 as the date of polling. By the time the impugned interim order came to be passed, the stages of filing and scrutiny of nominations and allocation of symbols had already been completed, and only polling, followed by counting and declaration of results, remained. The election process was, thus stalled at its penultimate stage.

67. The impugned order has resulted in the outgoing Managing Committee continuing beyond its term while the duly initiated election process remains stalled, contrary to the mandate of Section 31-B(d),

which contemplates timely completion of elections and assumption of office by the newly elected Committee. Continuation of the stay would therefore not merely postpone polling but extend the tenure of the outgoing Committee. Thus, the election ought not to have been interdicted except for compelling and legally sustainable reasons.

68. Learned counsel for the appellant-Society relied on ***Keecheri Service Co-Operative Bank Ltd.*** (supra 5), wherein the Kerala High Court permitted disputed votes to be polled separately and kept in separate ballot boxes, while leaving the aggrieved persons to challenge their exclusion by an election petition if such votes materially affected the result. The principle is relevant here, as it permits the election to proceed without prejudicing the parties' rights or frustrating the statutory remedy.

69. In the present case, the learned Single Judge has rendered a finding adverse to the inclusion of the said 270 members in the voters' list, including a finding that their admission was in violation of the order dated 24.10.2024 passed by this Court, without the said members being impleaded or afforded an opportunity of hearing. Their statutory right to participate in the election is, therefore, directly affected by the impugned order.

70. In order to balance the competing interests, preserve the election process, and at the same time safeguard the rights of the parties pending adjudication of the underlying disputes, we are of the

considered view that a course analogous to that adopted by the Kerala High Court in ***Keecheri Service Co-Operative Bank Ltd***'s case (supra 5) would meet the ends of justice. Accordingly, the votes of the aforesaid 270 members may be polled separately and kept in separate ballot boxes, subject to such safeguards as may be prescribed by the State Cooperative Election Authority.

71. However, the result of the election shall be declared in accordance with the applicable statutory procedure, without prejudice to the rights of the parties to question the inclusion or exclusion of any member from the voters' list by way of an election dispute under Sections 61(3) and 61(4) of the 1964 Act. The votes separately polled shall be preserved intact and shall be dealt with in accordance with the orders that may ultimately be passed in such proceedings, if their inclusion is found to have a material bearing upon the election result.

72. Such an arrangement would ensure that the election process is not brought to a standstill on account of an unresolved dispute concerning the voters' list, while at the same time preserving the rights of the concerned members and the statutory remedy available to the aggrieved parties.

73. Learned Senior Counsel appearing for the respondents/writ petitioners placed reliance upon several decisions in support of their case. We have considered the same; however, none of the decisions

relied upon advances their case, as the factual and statutory context of those decisions is materially distinguishable, as noted hereunder:

i) In ***Ashok Kumar***'s case (supra 15), the Hon'ble Supreme Court recognised judicial review of Election Authority actions in cases of patent arbitrariness, mala fides or breach of law, but emphasised restraint so as not to interrupt, obstruct or protract an ongoing election. In the present case, the dispute involves membership, disqualification and removal, including disputed questions regarding service of notices and compliance with Section 21 of the 1964 Act, which cannot appropriately be adjudicated summarily under Article 226 at an intermediary stage of the election.

ii) ***Jammu and Kashmir National Conference***'s case (supra 16), involved peculiar circumstances where the Election Authorities had repeatedly failed to comply with judicial directions, materially affecting the level playing field. No such circumstance exists here. Pursuant to the order dated 23.02.2026 in W.P.Nos.5171 and 5194 of 2026, the 2nd respondent afforded an opportunity of hearing and passed orders dated 18.03.2026.

iii) ***Bachhittar Singh***'s case (supra 17), ***Bipromasz Bipron Trading SA***'s case (supra 19) concerning the effect of non-communication of an order, do not assist the respondents/writ petitioners. Show-cause notices dated 15.02.2024 and the

subsequent communication dated 29.08.2024 were dispatched by registered post to the members' recorded addresses, which correspond with the addresses furnished in the Writ Petitions. Whether such dispatch constituted valid service, in view of the postal endorsements and returned covers, is a disputed factual matter inappropriate for summary adjudication under Article 226.

iv) ***L. Ramakrishnappa***'s case (supra 13) and ***Tadem Satish***'s case (supra 14) dealing with Articles 329 and 243-O, do not detract from the principle of judicial restraint in election matters. In the present case, Sections 61(3) and 61(4) of the 1964 Act provide a specific mechanism for adjudicating election disputes after declaration of results, militating against interference at an intermediary stage.

v) ***M.M. Rubber & Co.***'s (supra 20) concerning commencement of limitation for exercise of statutory power, has no application to the present controversy. ***N. Murugesan***'s case (supra 21). reiterating the principle against approbation and reprobation, also does not assist the respondents; the Society's earlier proceedings concerning revision of the voters' list do not preclude it from challenging the present disqualification and removal of members, which arise in a distinct factual and statutory context.

74. In view of the said reasons, the decisions relied upon by the respondents/writ petitioners either individually or collectively, do not warrant interference with the ongoing election process in the facts of the present case. The present dispute essentially concerns membership, disqualification, removal and preparation of the voters' list, for which the 1964 Act provides appropriate statutory remedies. The exceptional circumstances warranting interference at the intermediary stage of the election process are not made out.

Conclusion

75. For the foregoing reasons, we are of the considered view that the impugned common interim order dated 02.04.2026 cannot be sustained. The learned Single Judge erred in treating the right to vote and contest as Fundamental Rights; interfering with the election at its penultimate stage; treating Rule 22(6)(d) as conferring substantive adjudicatory jurisdiction on the Registrar; adjudicating disputed questions of membership, disqualification, removal and voters' list under Article 226 despite the statutory remedies under Sections 61(3), 61(4) and 76 of the 1964 Act; recording adverse findings against 270 members without impleading or hearing them; failing to appreciate their admission prior to 24.10.2024; overlooking Section 31-B(d) and the statutory scheme governing the voters' list; and failing to consider the prejudice caused to the pending Writ Petitions and the inconsistency with the final order dated 12.03.2026 in W.P.No.7417 of 2026. The findings recorded by the learned Single Judge, as noted

hereinabove, have necessitated the observations of this Court. The impugned order is accordingly liable to be set aside.

76. Accordingly, the Writ Appeals are allowed. The common interim order dated 02.04.2026 passed by the learned Single Judge in I.A. No.1 of 2026 in W.P. No.8514 of 2026, I.A. No.1 of 2026 in W.P. No.8727 of 2026, I.A. No.1 of 2026 in W.P. No.8728 of 2026, I.A. No.2 of 2026 in W.P. No.8745 of 2026 and I.A. No.1 of 2026 in W.P. No.8748 of 2026 is set aside with the following directions:

i) The State Co-operative Election Authority and the Election Officer shall proceed with and conduct the elections to the Managing Committee of the appellant Society pursuant to Election Notification bearing R.C.No.389/HYD/ SCEA/2026, dated 18.03.2026, from the stage at which the election process was stalled, namely, the stage of polling, and complete the same as expeditiously as possible, preferably within a period of eight(8) weeks from the date of receipt of a copy of this judgment;

ii) The votes of the 270 members whose names are included in the voters' list shall be polled separately and kept in separate ballot boxes, and the votes of the remaining members included in the final voters' list shall likewise be kept separately;

iii) The election result shall be declared in accordance with law, with the ballot papers of the two sets being preserved separately

after declaration of the result, it shall be open to the aggrieved parties to challenge the result by way of an election petition under Sections 61(3) and 61(4) of the 1964 Act after declaration of the results, including where the separately polled votes materially affect the election result;

iv) The respondents/writ petitioners are at liberty to avail the remedy under Section 76 of the 1964 Act in respect of their alleged disqualification or removal from the Society and, if so advised, to question the admission of the aforesaid 270 members before the competent forum; and

v) In the event any such election petition or statutory proceeding is instituted, the competent forum shall adjudicate the same independently on its own merits and in accordance with law, uninfluenced by any observations made in the impugned interim order or in this judgment.

Consequently, miscellaneous petitions pending if any, shall stand closed. No costs.

SD/- K.SRINIVASA RAO
JOINT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Principal Secretary, Department of Cooperation, Secretariat Buildings, Hyderabad, State of Telangana.
2. The Registrar-cum-Commissioner of Cooperative Societies, State of Telangana, Gruhakalpa Building, Nampally, Hyderabad.
3. The State Cooperative Election Authority, The State of Telangana, Hyderabad, Telangana.
4. The Commissioner of Co-operative Societies, and Registrar of Co-operative Societies, Government of Telangana, Hyderabad.
5. The State Cooperative Election Authority, for the State of Telangana, Hyderabad, Telangana,

6. The Jubilee Hills Cooperative House Building Society Ltd., having its office at Road No. 17-A, Jubilee Hills, Hyderabad - 500171, Rep. by Chairman, Person-In-Charge Committee, Mr. B. Ravindranath, S/o. Bollineni Rajgopal Naidu, aged about 49 years, R/o. H. No. 8-2-293/82/A, Flat No. 1343, Road No. 67, Jubilee Hills, Hyderabad - 500033.
7. The Section Officer, Writ Non-Service Section, High Court for the State of Telangana, at Hyderabad.
8. The Section Officer, Posting Section, High Court for the State of Telangana, at Hyderabad.
9. Sri M.N. Sastry, S/o Sri Nageswara Rao, Age 58 years, Occupation. Business, Resident of 508, Srinilaya Estates, Hyderabad.
10. Sri A. Subba Rao, S/o A. Venkateswara Rao, Age 64 years, Occupation. Business, Resident of Plot No. 309, Road No. 10-C, Jubilee Hills, Hyderabad.
11. Sri K. Ramesh Chowdary, S/o. Dhana Koteswara Rao, Occupation. Business, R/o. Plot No. 154, Road No. 71, Jubilee Hills, Hyderabad, Telangana - 500033.
12. Sri T. Hanumanth Rao, S/o. T.Veeraiah, Occupation. Business, R/o. Plot No. 1299K, Road No. 66, Jubilee Hills, Hyderabad, Telangana - 500033.
13. Ms. Jyothi Prasad Kosaraju, S/o. Sreeramulu Kosaraju, aged about 66 years, Occupation. Business, R/o. 854-D, Road No. 44, Near Peddamma Temple, Jubilee Hills, Shaikpet, Hyderabad - 500033
14. Sri M. Haranath Babu, S/o M. Lakshmi Narayana, Age 59 years, Occupation. Business, R/o 503, Sri Surabhi Avas, B-9, Madhura Nagar, Hyderabad-037.
15. Sri A. Subba Rao, S/o A. Venkateswara Rao, Age 64 years, Occupation. Business, R/o Plot No. 309, Road No. 10-C, Jubilee Hills, Hyderabad.
16. Sri G. Sriram, S/o G. Venugopal, Age 62 years, Occupation. Business, R/o Plot No. 64, Road No. 4, Mahendra Hills, East Marredpally, Secunderabad.
17. Sri N.G. Ramesh, S/o Name Ramesh, Age 48 years, Occupation. Business, R/o 6-3-1112, Begumpet, Hyderabad.
18. Sri P.V. Anjaneyulu, S/o P. Sadasiva Rao, Age 59 years, Occupation. Business, R/o H.No. B-22, 23 and 24, Flat No. 402, Indraprasta Apartment, Vengal Rao Nagar, Hyderabad.
19. M/s. P. K. Radhika, W/o K. Prakash, Age 78 years, Occupation. Household, R/o 8-2-681/A, Road No. 12,Banjara Hills, Hyderabad-034.
20. Sri B. Amarender Reddy, S/o B. Bucha Reddy, Age 50 years, Occupation. Business, R/o Plot No. 164, Road No. 76, Jubilee Hills, Hyderabad-033.
21. Sri P. Chandramouli, S/o Sita Ramaiah, Age 64 years, Occupation. Business, R/o 102, JVR Residency, Balkampet, Hyderabad, Telangana.
22. M/s. Srikakulapu Rukmini, W/o S.K. Rao, Age 69 years, Occupation. Household, R/o C/o Murali Krishna, 18/A, Club Road, Gudivada, Krishna District.
23. Sri S. Kumar Raja, S/o S. Gopala Krishna Rao, Age 65 years, Occupation. Business, R/o 103, Ganesh Mansion, Dharam Karan Road, Behind Divils Tower, Ameerpet, Hyderabad.
24. M/s. C.A. Satyavathi, W/o C.U.M. Rao, Age 64 years, Occupation. Household, R/o Plot No. 61, Aswini Heights, Jubilee Hills, Hyderabad.
25. Sri M.N. Sastry, S/o. Sri Nageswara Rao, Age 58 years, Occupation. Business, R/o. 508, Srinilaya Estates, Hyderabad.
26. M/s. K.Vijaya Lakshmi, W/o. O.K. Lakshmi Narayana, Age 59 years, Occupation. House Hold, R/o. Quarter No. 28, Banjara Hills, Hyderabad.
27. Sri V. Basava Kutumba Rao, S/o. Late Venkata Subba Rao, Age 71 years, Occupation. Business, R/o. 3-206, DivyashaktiApartment, 7-1-58, Ameerpet, Hyderabad.
28. M/s. Satya Shayamal Devi, W/o. J. Durga Prasad, Age 65 years,Occupation. Household, R/o. 7-1-214/4, Dharam Karan Road, Ameerpet, Hyderabad.
29. Sri Akash Sethia, S/o. D. C. Sethia, Age 51 years, Occupation. Business, R/o. J.D. Electronics, Abids,Hyderabad.
30. Sri Paturi Srinivasa Rao, S/o. P. Siva Rama Prasad, Age 55 years, Occupation. Business, R/o. Flat No. 5N, 5th Floor, Road No. 14, Banjara Hills, Hyderabad

31. Sri K. Venkateswara Rao, S/o. Madhusudhan Rao. Age 60 years, Occupation. Business, R/o. Plot No. 1285, Road No. 64, Jubilee Hills, Hyderabad.
32. Sri K. Lakshmi Kishore, S/o. K. Ramanandam, Age 61 years, Occupation. Business, R/o. 6-3-860/12, Rohini Apartment, Srinagar Colony, Hyderabad.
33. Sri Sunil Reddy E, . S/o E. Ella Reddy, Aged about 65 years, Occ Business, Membership MS No. 5192, R/o H.No. M-22, Vijayanagar Colony, Hyderabad - 500057
34. Sri Murali Madupu, S/o Late M.S. Chalapathi Rao, Aged about 73 years, Occ Business, Membership MS No. 4865, R/o 8-2-293/174/2/1, B.N. Reddy Colony, Road No. 14, Banjara Hills, Hyderabad-500034
35. Sri Anil Kumar Duggineni, S/o D. Satyanarayana Rao, Aged about 69 years, Occ Business, Membership, MS No. 247, R/o Karimnagar, Telangana.
36. Sri C.S. Viswanatha Reddy, S/o Sidda Reddy, Aged about 68 years, Occ Business, Membership MS No. 4872, R/o Flat No. 207,Teja Block, My Home Navadweepa, Hitech City Main Road, Hyderabad.
37. Sri Chander Rao Venapalli, S/o V. Gopala Rao, Aged about 81 years, Occ Business, Membership, MS No. 5079, R/o Srinagar Colony, Kodada, Nalgonda District, Telangana
38. M/s. Swarupa Reddy K.V., W/o K.V.R. Reddy, aged about 70 years, Occ Business, Membership, MS No. 718, R/o 6-3-248/B, Road No. 1, Banjara Hills, Hyderabad - 500034.
39. Sri Venkatram Reddy K., S/o K. Konda Reddy, aged about 65 years, Occ Business, Membership, MS No. 4899, R/o H.No. 24-A, P.S. Nagar, Hyderabad - 500057.
40. Sri Sarvottama Reddy M., S/o M. Chenna Reddy, aged about 72 years, Occ Business, Membership, MS No. 4247, R/o D-II, 263, Vinay Marg, Chanakyapuri, New Delhi
41. Sri Krishna Reddy V., S/o V. Sivakota Reddy, aged about 65 years, Occ Business, Membership, MS No. 5251, R/o Flat No. 501, Kavya Deluxe Apartments, Yousufguda Main Road, Hyderabad-500045.
42. M/s. Archana Agarwal, W/o Vinod K. Agarwal, aged about 66 years, Occ Business, Membership MS No. 1454, R/o H.No. PJ-33, Officers Colony, Panjagutta, Hyderabad - 500082.
43. Sri Naveen P., S/o P. Anand Rao, aged about 55 years, Occ Business, Membership MS No. 5108, R/o.Sri Balaji Composite Cans (P) Ltd., 215, Boduppal, Hyderabad - 500039.
44. M/s. K. Prasanna Jyothi, W/o Radha Krishna Kasaraneni, aged about 63 years, Occ Business, Membership MS No. 4393, R/o Maruthi Nilayam, Powerpet, Venkatarama Printing Press Road, Eluru - 534002
45. Sri Sreedhar Chowdary, S/o Late G.S. Chowdhury, aged about 74 years, Occ Business, Membership, MS No. 5137, R/o 8-2-680, Road No. 12, Banjara Hills, Hyderabad - 500034.
46. Sri Chalapathi Reddy M, S/o Reddy M, aged about 90 years, Occ Business, Membership, MS No. 1710, R/o H.No. 273/3, Vijayanagar Colony, Hyderabad - 500057.
47. M/s. Gowthami Chowdary T, W/o T. Rajeswara Rao, aged about 72 years, Occ Business, Membership, MS No. 4977, R/o Basavapurna X-Ray Clinic, Ramachandra Rao Road, Suryaraopet, Vijayawada - 520002.
48. Sri Sambasiva Rao N., S/o N. Rama Kotaiah, aged about 65 years, Occ Business, Membership, MS No. 4657, R/o 603/MLS Quarters, Punjagutta, Hyderabad.
49. M/s. Saraswati R., W/o R.R. Naidu, aged about 81 years, Occ Business, Membership MS No. 4372, R/o Plot No. 51, Siddardha Nagar Colony, Hyderabad - 500038
50. One CC to SRI SANNAPANENI LOHIT, Advocate [OPUC]
51. Two CCs to GP FOR COOPERATION, High Court for the State of Telangana, at Hyderabad. [OUT]
52. One CC to SRI MAMIDI AVINASH REDDY, Advocate [OPUC]
53. One CC to SRI M.S.ACHYUTH BHARATWAJ, Advocate [OPUC]
54 Two CD Copies

PSK.
TKS

HIGH COURT

DATED: 18/08/2026

COMMON JUDGMENT

WA.Nos.392, 400, 401, 402 AND 403 OF 2026

ALLOWING THE WRIT APPEALS WITHOUT COSTS



57 pn 21/9/26