

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**THURSDAY, THE THIRTEENTH 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**

WRIT APPEAL NO: 764 OF 2026

Writ Appeal under clause 15 of the Letters Patent Appeal against the Order Dated 29/04/2026 Passed in W.P No. 8610 of 2026 on the file of the High Court.

Between:

The Jupaka Primary Agricultural Cooperative Society Ltd., Rep by its Official Person Incharge Committee, Jupaka Village, Huzurabad Mandal, Karimnagar

...APPELLANT

AND

1. Narige Rajani Kanth, S/o. N Bhadraiah, aged about 42 years, Occ. CEO (Removed from service) Jupaka Primary Agricultural Cooperative Society Ltd R/o. H No.1-152, Gudur village, Kamalapoor Mandal, Hanumakonda District.
2. The State of Telangana, Rep. by its Principal Secretary, Agriculture and Cooperative Department, Secretariat Buildings, Hyderabad.
3. The Commissioner for Cooperation and Registrar of Cooperative Societies, Telangana State, Nampally Station Road, Hyderabad.
4. The Joint Registrar of Cooperative Societies / The District Cooperative Officer, Karimnagar, Karimnagar District
5. Senior Inspector (Field) Karimnagar, Inspecting Officer, PACS Ltd, Jupaka Office of DCO, Karimnagar, Karimnagar District.

...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 grant interim suspension of the impugned Order dated 29.04.2026 in WP No.8610/2026, in so far as it relates to the direction to reimburse the amount paid by 1st Respondent /

Writ Petitioner to the credit of Petitioner-Society on 12.12.2024, pending disposal of the Writ Appeal.

Counsel for the Appellant: MR. V. JAGAPATHI

Counsel for the Respondent No.1: MR. K. MURALIDHAR REDDY

Counsel for the Respondent Nos. 2 to 4: MRS. B. MOHANA REDDY, GP FOR AGRICULTURE AND COOPERATION DEPARTMENT

The Court made the following: JUDGEMENT

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
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**THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND
THE HON'BLE SRI JUSTICE G.M.MOHIUDDIN**

WRIT APPEAL No.764 OF 2026

DATED : 13.08.2026

Between:

The Jupaka Primary Agricultural Cooperative Society Limited

... Appellant

AND

Narige Rajani Kanth and four others

... Respondents

JUDGMENT:

Heard Mr. V. Jagapathi, learned counsel for the appellant, Mr. K. Muralidhar Reddy, learned counsel for respondent No.1/writ petitioner and Mrs. B. Mohana Reddy, learned Government Pleader for Agriculture and Cooperation Department, appearing for respondent Nos.2 to 4.

2. The appellant-Jupaka Primary Agricultural Cooperative Society Limited (respondent No.5 in the writ petition), had not been noticed and heard while disposing of W.P. No.8610 of 2026 *vide* impugned order dated 29.04.2026. The operative portion of the said order reads as under:

“Taking into consideration the fact as borne on record that under similar circumstances, this Court allowed W.P.No.8960 of 2026, dated 21.04.2026 and had passed orders in favour of the petitioner thereunder, the present writ petition is also allowed. The impugned surcharge order, vide R.C.No.3200/2022-C, dated 02.11.2024 passed under Section 60 of the Telangana Cooperative Societies Act, 1964 by the respondent No.3 is set-aside. The 5th respondent is directed to consider the request of the petitioner for reimbursement of the amount of Rs.2,92,950/- to the petitioner, in accordance to law, duly taking into consideration the fact that the 3rd respondent lacked jurisdiction in passing the impugned surcharge order, dated 02.11.2024 against the petitioner herein, within a

period of one (01) week from the date of receipt of copy of the order. It is however observed that the Registrar of Cooperative Societies is at liberty to initiate action against the petitioner in accordance to law, if the respondents intend to do so. However, there shall be no order as to costs."

3. Before the learned writ Court, the official respondents did not dispute that respondent No.3 therein was not the competent authority to initiate the proceedings impugned in the writ petition in view of G.O.Ms.No.10, Agriculture & Cooperation (COOP.II) Department dated 30.01.2017. However, it is also pointed out by learned counsel for the respondents that by subsequent G.O., i.e., G.O.Ms.No.1 dated 10.01.2024 issued by the same Department, power has been conferred upon the District Cooperative Officer to undertake proceedings under Section 52 of the Telangana State Cooperative Societies Act, 1964. However, while allowing the writ petition, the learned writ Court directed the appellant to consider the request of the respondent No.1/writ petitioner for reimbursement of the amount paid by him in accordance with law, though appellant was neither noticed nor heard in the writ petition.

4. Learned counsel for the appellant and learned counsel for the State submit that after passing of the impugned order and pursuant to the liberty granted, fresh proceedings have been initiated by the competent authority i.e., the District Cooperative Officer and the same are pending.

5. Learned counsel for the appellant contends that in view of pendency of the fresh proceedings before the competent authority, the direction of the learned writ

Court for reimbursement of the amount paid by the writ petitioner may not be proper.

6. Upon consideration of the rival submissions of the parties and the relevant facts taken note above, we are of the view that if fresh proceedings have been initiated by the competent authority, the refund of the amount to the writ petitioner should await the outcome of the said proceedings. However, in order to ensure that the proceedings do not get unnecessarily delayed, a direction is issued upon the District Cooperative Officer-respondent No.4 to conclude the proceedings in accordance with law in a time bound manner preferably within a period of twelve weeks from the date of receipt of a copy of this order, after providing an opportunity of hearing to the concerned parties. Needless to say that any party aggrieved by the order passed in the pending proceedings conducted by respondent No.4 will have the liberty to assail it in an appropriate Court.

7. Accordingly, the instant Writ Appeal is disposed of. There shall be no order as to costs.

Miscellaneous applications, if any pending, shall stand closed.

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**SD/- MOHD. ISMAIL
DEPUTY REGISTRAR**



SECTION OFFICER

To,

1. The Principal Secretary, Agriculture and Cooperative Department, Secretariat Buildings, State of Telangana, Hyderabad.
2. The Commissioner for Cooperation and Registrar of Cooperative Societies, Telangana State, Nampally Station Road, Hyderabad.
3. The Joint Registrar of Cooperative Societies / The District Cooperative Officer, Karimnagar, Karimnagar District
4. Senior Inspector (Field) Karimnagar, Inspecting Officer, PACS Ltd, Jupaka Office of DCO, Karimnagar, Karimnagar District.
5. One CC to SRI V. JAGAPATHI Advocate [OPUC]

6. One CC to SRI K. MURALIDHAR REDDY Advocate [OPUC]
7. Two CCs to MRS. B. MOHANA REDDY, GP FOR AGRICULTURE AND COOPERATION DEPARTMENT, High Court of Telangana at Hyderabad [OUT]
8. Two CD Copies

AGK

TKS

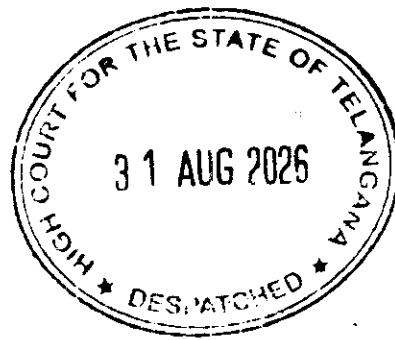


HIGH COURT

DATED: 13/08/2026

JUDGEMENT

WA.No.764 of 2026



**DISPOSING OF THE WRIT APPEAL
WITHOUT COSTS**

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NT
21/8/26