

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

FRIDAY, THE THIRTIETH DAY OF AUGUST
TWO THOUSAND AND TWENTY FOUR

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HONOURABLE SRI JUSTICE J SREENIVAS RAO**

WRIT PETITION NO: 4558 OF 2013

Between:

1. The Nalgonda Ranga Reddy Milk Producers Mutually, Aided Co-operative Union Ltd., Hayathnagar, Ranga Reddy District, Rep by its Chairman Gutha Jithender Reddy.
2. Gutha Jithender Reddy, S/o. Late Venkat Reddy Aged 52 years R/o. Hyderabad.

...PETITIONERS

AND

1. Union of India, Ministry of Corporate Affairs Rep by its, Principal Secretary, New Delhi.
2. The Joint Director, Ministry of Corporate Affairs, Government of India, 5th Floor, A Wing, Shastri Bhavan, Dr. Rajendra Prasad Road, New Delhi.
3. Registrar of Companies, Ministry of Corporate Affairs, Government of India, 2nd Floor, Kendriya Sadan, Sultan Bazar, Hyderabad.
4. Deputy Registrar of Companies, Ministry of Corporate Affairs, Government of India, 2nd Floor, Kendriya Sadan, Sultan Bazar, Hyderabad.
5. The District Registrar of Cooperative Societies/, District of MACS Act, Ranga Reddy District.
6. A.P. Dairy Development Co-operative Federation Ltd., Rep by its Chairman and Managing Director Lalapet, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ, order or direction, one more particularly in the nature of a Writ of Mandamus iv) declaring Circular No.29/2012 dated 10.09.012 issued by the 2nd respondent as illegal and unconstitutional and set aside and further declare that there is no necessity or requirement of obtaining such consent / no objection from the State Cooperative Department for converting an application under Section 581J as a Producer Company v) declare the action of the 4th respondent in addressing a communication in No.RAP/Sec.22/ DROC / 2037, 38

dated 26.11.2012 to the 5th respondent as illegal, arbitrary, unconstitutional and set aside the same vi) direct the respondents 1 to 4 to allow the application submitted by the 1st petitioner on 9.11.2012 and convert the 1st petitioner as a Producer Company in accordance with the provisions of the Companies Act, 1956 and without reference to respondents 5 and 6

I.A. NO: 1 OF 2013(WPMP. NO: 5691 OF 2013)

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 respondents 3 & 4 to process the 1st petitioner application dated 9.11.2012 seeking registration as a Producer Company without reference to the 2nd respondent circular dated 10.09.2012 and also the 4th respondent communication to the 5th respondent in No.RAP/Sec.22/DROC/2037, 38 dated 26.11.2012 pending the disposal of the writ petition

Counsel for the Petitioner: SRI P. SRI HARSHA REDDY

**Counsel for the Respondent Nos. 1to4: SRI B. NARASIMHA SHARMA
ADDITIONAL SOLICITOR GENERAL OF INDIA
REP SRI GADI PRAVEEN KUMAR,
DY. SOLICITOR GENERAL OF INDIA**

Counsel for the Respondent No.5: GP FOR COOPERATION

**Counsel for the Respondent No.6: SRI N. GANGADHAR REP
SRI S. ASHOK ANAND KUMAR**

The Court made the following: ORDER

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE

AND

THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

WRIT PETITION No.4558 of 2013

ORDER: *(Per the Hon'ble the Chief Justice Alok Aradhe)*

Mr. P.Sri Harsha Reddy, learned counsel for the petitioners.

Mr. B.Narasimha Sharma, learned Additional Solicitor General of India representing Mr. Gadi Praveen Kumar, learned Deputy Solicitor General of India for respondent Nos.1 to 4.

Mr. N.Gangadhar, learned counsel representing Mr. S.Ashok Anand Kumar, learned counsel for respondent No.6.

2. On account of efflux of time and in view of repeal of the Companies Act, 1956, learned counsel for the petitioners submits that the grievance of the petitioners does not survive for consideration.

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3. Accordingly, the Writ Petition is dismissed as infructuous.

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

SD/-A.V.S.PRASAD
ASSISTANT REGISTRAR

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SECTION OFFICER

To,

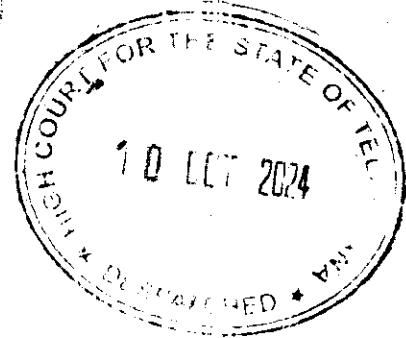
1. One CC to SRI. P. SRI HARSHA REDDY, Advocate [OPUC]
2. One CC to SRI GADI PRAVEEN KUMAR, DY. SOLICITOR GENERAL OF INDIA [OPUC]
3. Two CCs to GP FOR COOPERATION High Court for the State of Telangana, at Hyderabad [OUT]
4. Two CD Copies

B M
BSK

pmc.

HIGH COURT

DATED:30/08/2024



ORDER

WP.No.4558 of 2013

**DISMISSING THE WRIT PETITION AS INFRUCTUOUS
WITHOUT COSTS**

⑦ pmh
28/9/24