

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

**WEDNESDAY, THE FIRST DAY OF APRIL
TWO THOUSAND AND TWENTY SIX**

PRESENT

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

**IA.No.1 OF 2026
IN/AND
WRIT APPEAL NO: 375 OF 2026**

Writ Appeal under clause 15 of the Letters Patent Preferred Against the Order
Dated 25/02/2026 In W.P.No.12402 of 2025 on the file of the High Court.

Between:

K.Anil Kumar Goud, S/o. Pentaiah Gaud, Aged 48, Occ. Business, R/o. 8-2-684/43/1, NBT Nagar, Road No.12, Banjara Hills, Hyderabad.

...APPELLANT/THIRD PARTY

AND

1. P. Venugopal Goud, S/o. Ramulu Gaud, Aged 58 years, Occ. Business, R/o M.B Nagar, Road No.12, Banjara hills, Hyderabad.
2. E. Yadaiah Gaud, S/o. Late E.Mallaiah, Aged 62 years, Occ. Business, R/o. H.no 6-3-1243/139/1, Opp. Raj Bhavan, SM Maktha, Hyderabad.
3. B. T.Anjaiah, S/o. Late T.Bikshapathi, Aged 56 years, Occ. Business, R/o. H.no 8-2-684/43/1/ 1/A, NBT Nagar, Hyderabad.

...RESPONDENTS/PETITIONERS

4. The District Prohibition and Excise Officer, Functional Registrar and Excise Superintendent, Hyderabad Dist., Nampally, Hyderabad
5. The District Co-operative Officer, Hyderabad Division, 5th floor, Gruha Kalpa Building, Opp Gandhi Bhavan, Nampally, Hyderabad
6. The Asst. Registrar of Co-op Societies Cum-Election Officer, for Toddy Tappers, Co-op Society Ltd., Golconda Division, Hyderabad
7. The State Co-Operative Election Authority (SCEA), 3rd Floor, Gruha Kalpa Building, Opp Gandhi Bhavan, Nampally, Hyderabad, 500001.

8. State of Telangana, Rep by its Principal Secretary to the Government Revenue Prohibition and Excise Secretariat Hyderabad
9. The Toddy Tappers Co-op Society Ltd., Chintal Basthi, (Regd. No. ES/8/20/1993, Hyderabad, R/o. Chintal Basthi, Khairatabad, Hyderabad

...RESPONDENTS/RESPONDENTS

I.A. NO: 1 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 LEAVE for filling of the present Appeal against the Orders Dated 25.02.2026 in WP No. 12402 of 2025, pending the disposal of the main appeal.

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 operation of impugned order WP.No.12402 of 2025 dated 25.02.2026 to the extent of appointing the Person In-Charge to Conduct Elections to Respondent No.9 society is concerned pending disposal of the present writ appeal.

**Counsel for the Appellant: SRI VEDULA SRINIVAS, SENIOR COUNSEL FOR
SRI A.RAJA CHANDRA SHEKER GOUD**

Counsel for the Respondent Nos.1 TO 3: SRI RUSHEEK REDDY.K.V

**Counsel for the Respondent Nos.4 & 8: SRI A.JAGAN, GP FOR PROHIBITION &
EXCISE**

**Counsel for the Respondent Nos.5 TO 7: SRI SYED QADEER,
GP FOR COOPERATION**

Counsel for the Respondent No.9: SRI P.VISHNUVARDHANA REDDY

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

**I.A.No.1 OF 2026
in/and
WRIT APPEAL No.375 OF 2026**

DATE: 01.04.2026

Between:

K. Anil Kumar Goud

....Appellant

And

P. Venugopal Goud and 8 others

....Respondent

JUDGMENT

Heard Sri Vedula Srinivas, learned Senior Counsel representing Sri A.Raja Chandra Shekhar Goud, learned counsel for the appellant; Sri K.V.Rusheek Reddy, learned counsel for respondent Nos.1 to 3; Sri A.Jagan, learned Government Pleader for Prohibition & Excise appearing for respondent No.4; Sri Syed Qadeer, learned Government Pleader for Cooperation appearing for respondent No.5 and perused the record.

2. The appellant, who claims to be a member of respondent No.9-Toddy Tappers Co-operative Society Limited, Chintal Basthi, Hyderabad (hereinafter referred to as "the Society") and was appointed as the Chairman of the Three Member Person-in-Charge (PIC) Committee thereof by proceedings dated 13.10.2025 has preferred the

present appeal under Clause 15 of the Letters Patent, assailing the common order dated 25.02.2026 passed by the learned Single Judge in W.P.Nos.5234 and 12402 of 2025. By the said common order, the learned Single Judge has dismissed W.P.No.5234 of 2025 and allowed W.P.No.12402 of 2025 by directing the respondents to appoint a Person-in-Charge to conduct elections to the respondent No.9-Society.

Factual matrix (in brief)

3. The respondent No.9-Society is registered under the provisions of the Telangana Co-operative Societies Act, 1964 (for short, "1964 Act"). The last elections to the Managing Committee of the said Society were conducted on 13.12.2014, and the tenure of the elected body came to an end in December, 2019. Thereafter, the affairs of the respondent No.9-Society were managed by a Person-in-Charge (PIC) Committee appointed by the competent authority.
4. In order to conduct fresh elections, steps were initiated for preparation of the list of eligible members/voters. Disputes arose with regard to the inclusion and exclusion of certain members, leading to multiple representations. The respondent No.4 (Functional Registrar), issued proceedings dated 05.10.2021, directing restoration of certain members. Pursuant thereto, a final voters list was prepared, and elections were conducted on 06.06.2022, resulting in the constitution of a newly elected Managing Committee.
5. Aggrieved thereby, the respondents herein (who were the writ petitioners in W.P.No.12402 of 2025) instituted O.P.No.14 of 2022

before the Co-operative Tribunal under Section 61(3) of the 1964 Act, calling in question the validity of the said elections. By order dated 23.01.2025, the Tribunal allowed the election petition, set aside the elections held on 06.06.2022, and directed the official respondents to take necessary steps for conducting fresh elections to the Society.

6. Challenging the aforesaid order of the Tribunal, the respondent No.9 society along with elected members of the Managing Committee preferred W.P.No.5234 of 2025 before this Court. By order dated 19.03.2025, the learned Single Judge granted an interim suspension of the Tribunal's order and permitted the elected committee to continue in office pending further adjudication.

7. During the pendency of the said writ petition, the President and Vice-President of the respondent No.9-Society tendered their resignations on 07.10.2025. Consequent thereto, respondent No.4 issued proceedings dated 13.10.2025, appointing a three-member PIC Committee, with the appellant herein as its Chairman, to manage the affairs of the Society.

8. Meanwhile the respondents herein (petitioners in the election petition) filed W.P.No.12402 of 2025, seeking a direction to the official respondents to appoint a Person-in-Charge Committee and to conduct fresh elections in terms of the Tribunal's order dated 23.01.2025. The Commissioner of Prohibition and Excise, by proceedings dated 04.11.2025, restored the licence of the respondent No.9-Society upon

imposition of a fine, taking note of the appointment of the Person-in-Charge Committee on 13.10.2025.

9. By a common order dated 25.02.2026, the learned Single Judge dismissed W.P.No.5234 of 2025 thereby upholding the Tribunal's order dated 23.01.2025 and allowed W.P.No.12402 of 2025, directing the respondents to appoint a Person-in-Charge to conduct elections to the Society in accordance with due procedure.

10. In compliance with the aforesaid directions, the Functional Registrar issued proceedings dated 16.03.2026, appointing a fresh three-member Person-in-Charge Committee, in substitution of the earlier committee, and directing that elections be conducted within a period of three months.

11. Aggrieved by the said common order dated 25.02.2026, the appellant herein, who was the Chairman of the erstwhile Person-in-Charge Committee, has preferred the present Writ Appeal along with I.A.No.1 of 2026 seeking leave to file the appeal.

Submissions on behalf of the appellant

12. Learned Senior Counsel for the appellant, assailed the impugned common order and has advanced submissions as under:

- i) That the appellant was duly appointed as the Chairman of the PIC Committee by proceedings dated 13.10.2025 issued by the competent authority in exercise of powers under Section 32(7)(a)(i) of the 1964 Act. The said appointment continued to remain in force as on the date of passing of the impugned

common order dated 25.02.2026. The appellant was neither impleaded as a party in W.P.No.12402 of 2025 nor was any notice served upon him. The impugned direction to appoint a PIC Committee has the effect of divesting the appellant and the existing committee members appointed on 13.10.2025. The impugned order was passed without affording the appellant an opportunity of being heard, in violation of the principles of natural justice.

- ii) That the learned Single Judge failed to take into consideration the fact that a valid PIC Committee had already been constituted on 13.10.2025 by the competent authority, which was subsequently recognized and affirmed by the Commissioner, Prohibition and Excise, *vide* proceedings dated 04.11.2025, inasmuch as the restoration of the toddy shop licence was expressly predicated on the validity of the PIC Committee. Therefore, the direction to appoint a PIC was unnecessary and rendered the earlier appointment redundant.
- iii) That the appointment of the appellant as Chairman of the PIC Committee *vide* proceedings dated 13.10.2025 was never challenged before any competent forum by any of the parties. The learned Single Judge ought not to have issued a direction that effectively nullified a valid administrative order without hearing the affected persons.

- iv) That the consequential proceedings dated 16.03.2026 issued by the respondent No.4 in compliance with the impugned order, are also illegal, arbitrary, and unsustainable in law, as they have been issued without issuing any notice to the appellant or to the existing members of the PIC Committee. The appellant sought that the impugned order be set aside and that the appointment made on 13.10.2025 be allowed to continue.

Submissions on behalf of the respondents

13. Learned counsel for respondents has supported the impugned common order and has advanced submissions as under:

- i) That the appellant herein was not a party to the writ petition and was neither a necessary nor a proper party to the proceedings. The relief sought in W.P.No.12402 of 2025 was directed exclusively against the official respondents for their failure to implement the order of the Cooperative Tribunal dated 23.01.2025. The direction to appoint a PIC was a mandamus issued to the statutory authorities, who were already parties to the writ petition. The appellant, being a third party to the proceedings, cannot claim any vested or enforceable right to continue as Chairman of the PIC Committee and the office of the appellant was subject to the outcome of the pending litigation.
- ii) That the appellant was not a necessary party to the writ proceedings. The direction issued by the learned Single Judge is

a general direction to the statutory authorities to implement the Tribunal's order by appointing a PIC Committee in accordance with law. The appellant cannot claim a right of hearing in proceedings where no specific relief was sought against him.

- iii) That the learned Single Judge, by dismissing W.P.No.5234 of 2025, has affirmed the order of the Cooperative Tribunal dated 23.01.2025, wherein the elections conducted on 06.06.2022 were declared illegal and set aside. The necessary and inevitable consequence of setting aside the elections is that the management of the society must vest in a PIC Committee to conduct fresh elections. Therefore, the direction issued to appoint a PIC Committee is not only lawful but also mandatory for giving effect to the Tribunal's order.
- iv) That the appointment of a PIC Committee on 13.10.2025 during the pendency of the writ petition does not render the writ petition infructuous. The said appointment was made without awaiting the final adjudication of the writ petition and cannot override judicial directions. The learned Single Judge has rightly directed the authorities to appoint a PIC Committee "by following due procedure," which necessarily includes the power to rectify any irregular or improper appointments made earlier. The subsequent order of the authorities dated 16.03.2026 is in compliance with the court's direction and is not a matter to be decided in this appeal.

- v) That if the appellant is aggrieved by the proceedings dated 16.03.2026 appointing a new PIC Committee, he has an independent and efficacious remedy to challenge the same before an appropriate forum. The appellant cannot challenge the learned Single Judge's order of 25.02.2026, which was passed during the subsistence of his appointment and in the course of pending proceedings.

14. We have taken note of the respective contentions urged and perused the material on record.

Consideration by this Court

15. It is pertinent to note that the appellant was admittedly not a party to the original writ proceedings, his claim to *locus standi* is founded upon his appointment as Chairman of the PIC by respondent No.4 *vide* proceedings dated 13.10.2025, and the contention that the impugned order dated 25.02.2026, directing appointment of a PIC, adversely affects his position.

16. It is a settled principle that a third party, though not arrayed as a party to the proceedings, may, in appropriate cases, be permitted to maintain an appeal if the impugned order directly and adversely affects his legal rights, particularly where such order is passed without affording an opportunity of hearing. However, it is to be noted that the direction issued by the learned Single Judge, being in the nature of a writ of mandamus to the statutory authorities (respondent

Nos.4 to 8) to appoint a PIC Committee for the purpose of conducting fresh elections to the respondent No.9-Society, is general in character and does not specifically target or direct the removal of any identified individual from office. The said direction merely enjoins upon the competent authorities to discharge their statutory obligation and leaves the constitution of the PIC Committee to their discretion, to be exercised strictly in accordance with the provisions of the 1964 Act and the Rules framed thereunder.

17. Further, the appellant's appointment dated 13.10.2025 was an administrative arrangement made by the respondent No.4 during the pendency of the writ petitions being W.P.Nos.5234 and 12402 of 2025. The said appointment was made in the backdrop of the resignations of the elected Managing Committee and subsequent internal developments within the respondent No.9-Society. However, the core dispute before the Court pertained to the legality of the elections held on 06.06.2022. The Cooperative Tribunal had set aside the said elections, and the learned Single Judge, upon consideration, upheld the order of the Tribunal. Once the elections were declared illegal, the continuance of the management which emanated from such elections, including any subsequent administrative arrangements made during the pendency of the litigation, necessarily were subject to the outcome of the proceedings. Therefore, the appellant who assumed charge as Chairman of the PIC Committee subsequent to the Tribunal's order and during the pendency of the

writ petitions, cannot be said to have acquired any vested right to continue in such capacity.

18. Further, the relief sought in W.P.No.12402 of 2025 was for directing the official respondents to discharge their statutory obligation of constituting a PIC Committee and conducting fresh elections in terms of the Tribunal's order. The said relief was directed against the statutory authorities, who were already parties before the Court. In such proceedings, a person holding an office pursuant to an administrative arrangement which by its very nature is a stop-gap arrangement cannot be said to be a necessary or proper party, unless a specific relief is sought against him.

19. It is to be noted that the finding of the learned Single Judge, in dismissing W.P.No.5234 of 2025 and thereby affirming the order of the Cooperative Tribunal declaring the elections held on 06.06.2022 as illegal, has not been challenged in the present writ appeal. The appellant has neither questioned the Tribunal's order dated 23.01.2025 nor the dismissal of W.P. No. 5234 of 2025.

20. Further, the direction issued by the learned Single Judge to appoint a PIC Committee for conducting elections cannot be faulted, as it is in consonance with the statutory scheme. Section 32(7)(a) of the 1964 Act empowers the Registrar to appoint a PIC Committee where the Managing Committee is not duly constituted.

21. Further, the validity of the subsequent proceedings dated 16.03.2026 is not the subject matter of the present writ appeal, as the same came into existence after the impugned judgment dated 25.02.2026.

22. It is well settled that the appointment of a PIC Committee is only a temporary arrangement to facilitate the conduct of fresh elections. The constitution of such a committee falls within the domain of the competent authority, to be exercised in accordance with the provisions of the Act and the Rules framed thereunder. The appellant has failed to demonstrate that the subsequent appointment of the PIC Committee is in contravention of any statutory provision. In the absence of any such infirmity, the claim of the appellant to continue as Chairman of the earlier PIC Committee cannot be sustained.

23. It is relevant to note that this Court, while exercising appellate jurisdiction under Clause 15 of the Letters Patent, would not ordinarily interfere with findings of fact, particularly when such findings are based on a proper appreciation of evidence by the Tribunal and affirmed by the learned Single Judge. Thus, the appellant has failed to demonstrate any patent error of law, jurisdictional infirmity, or perversity in the impugned order warranting interference.

Conclusion

24. For the foregoing reasons, this Court is of the considered view that the writ appeal is devoid of merit, and is liable to be dismissed.

25. Accordingly, I.A.No.1 of 2026 and the Writ Appeal are dismissed.

As a sequel, miscellaneous petitions, pending if any, stand closed. No costs.

//TRUE COPY//

Sd/-A.V.S. PRASAD
DEPUTY REGISTRAR

SECTION OFFICER

To

1. One CC to SRI A.RAJA CHANDRA SHEKER GOUD, Advocate [OPUC]
2. One CC to SRI RUSHEEK REDDY.K.V, Advocate [OPUC]
3. One CC to SRI P.VISHNUVARDHANA REDDY, Advocate [OPUC]
4. Two CCs to GP FOR PROHIBITION & EXCISE, High Court for the State of Telangana, at Hyderabad. [OUT]
5. Two CCs to GP FOR COOPERATION, High Court for the State of Telangana, at Hyderabad. [OUT]
6. Two CD Copies

PSK./PMK

PSK

HIGH COURT

DATED: 01/04/2026

COMMON JUDGMENT

IA.No.1 OF 2026

IN/AND

WA.No.375 of 2026



**DISMISSING THE IA AND WRIT APPEAL
WITHOUT COSTS**

(10)
MT
18/4/26