

**(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

MONDAY, THE NINETEENTH DAY OF JANUARY,
TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 1558 OF 2026



Between:

1. Thotakura Srinivasa Prakasa Rao, S/o. Late Sri Paddayya Age 54 Years, Occ Cultivation, R/o. D.No.2-17E-1/1 Venkat Nagar, Kakinada - 533 003
2. Malakala Subbayamma, W/o. Late Sri Pallam Raju Age 79 Years, Occ Cultivation, R/o. D.No.4-79 Pedabrahmadevam - 533 434 Samalkot Mandal, Kakinada District
3. Kantipudi Bhanumathi, W/o. Sri Gopalam Age 69 Years, Occ Cultivation R/o. Pedabrahmadevam - 533 434 Samalkot Mandal, Kakinada District
4. Adapa Somaraju, S/o. Late Sri Veerraju Age 74 Years, Occ Cultivation R/o. Pedabrahmadevam - 533 434 Samalkot Mandal, Kakinada District
5. Kolamuri Venkata Lakshmi, W/o. Sri Naralasetti Kedareswarudu Age 33 Years, Occ Cultivation R/o. Pedabrahmadevam - 533 434 Samalkot Mandal, Kakinada District
6. Adapa Nookaraju, S/o. Late Sri Suranna Age 64 Years, Occ Cultivation R/o. Pedabrahmadevam - 533 434 Samalkot Mandal, Kakinada District
7. Tanuku Swamy Tata, S/o. Late Sri Sattiraju Age 39 Years, Occ Cultivation R/o. Pedabrahmadevam - 533 434 Samalkot Mandal, Kakinada District
8. Malakala Jagannadham, S/o. Late Sri Veerraju Age 72 Years, Occ Cultivation R/o. Pedabrahmadevam - 533 434 Samalkot Mandal, Kakinada District

9. Pepakayala Manga, W/o. Sri Srinivasa Rao Age 30 Years, Occ Cultivation R/o. Pedabrahmadevam - 533 434 Samalkot Mandal, Kakinada District
10. Pabbineedi Venkata Swamy, S/o. Late Sri Venkataraju Age 58 Years, Occ Cultivation R/o. Pedabrahmadevam - 533 434 Samalkot Mandal, Kakinada District

Petitioners

AND

1. State of Andhra Pradesh, rep. by its Prl. Secretary Co-operation Department, A.P. Secretariat Velagapudi - 522 503, Guntur District.
2. The District Collector, Kakinada District at Kakinada - 533 001
3. The Executive Engineer, A.P.S.I.D.C. Division N.R. Peta, Eluru - 534 006, Eluru District
4. The District Co-Operative Officer, Kakinada - 533 003
5. The Tahsildar, Samalkot Mandal Samalkot - 533 440, Kakinada District
6. P.B. Devam Mutually Aided Lift Irrigation Co-Op. Society Ltd., (Regd.No.AMC/EGDT/DCO/2013/12), P.B. Devam - 533 434 Samalkot Mandal, Kakinada District Rep. by its Chief Executive Officer

...Respondents

WHEREAS the Petitioner above named through their Advocate Sri.N SIVA REDDY presented this Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring the proceedings of the 2nd respondent bearing Computer No.63870/2025 dt.30.12.2025 and the consequential letter of the 3rd respondent bearing Lr.No.IDC /EE /Elr /DB /AEE/P.B.Devam-I I LIS/2025- 26/353 dt. 13.01.2026 whereby and whereunder the Managing Committee of the 6th respondent Society is dissolved with immediate effect as illegal, arbitrary and without jurisdiction, apart from violative of principles of natural justice and set aside

the same and to issue consequential direction directing the respondents not to meddle with the functioning of the Managing Committee of the 6th respondent Society;

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri N SIVA REDDY Advocate for the Petitioner, GP FOR COOPERATION, for Respondents No.1 and 4, GP FOR REVENUE for R2 and R5, Sri.V.Raja Manohar, Advocate for R3 directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Prl. Secretary Co-operation Department, State of Andhra Pradesh, Secretariat Velagapudi - 522 503, Guntur District.
2. The District Collector, Kakinada District at Kakinada - 533 001
3. The Executive Engineer, A.P.S.I.D.C. Division N.R. Peta, Eluru - 534 006, Eluru District.
4. The District Co-Operative Officer, Kakinada - 533 003
5. The Tahsildar, Samalkot Mandal Samalkot - 533 440, Kakinada District.
6. The Chief Executive Officer, P.B. Devam Mutually Aided Lift Irrigation Co-Op. Society Ltd., (Regd.No.AMC/EGDT/DCO/2013/12), P.B. Devam - 533 434 Samalkot Mandal, Kakinada District

are be and hereby directed to show cause either appearing in person or through an Advocate as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted on or before 16.02.2026 for which date the case stands posted for hearing.

IA NO: 1 OF 2026

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the operation of the proceedings of the 2nd respondent bearing Computer No.63870/2025 dt.30.12.2025 and the consequential letter issued by the 3rd respondent bearing Lr.No.IDC/EE/Elr/DB/AEE/P.B.Devam-II LIS/2025-26/353 dt. 13.01.2026, pending disposal of WP No. 1558 of 2026, on the file of the High Court.

The court made the following order

ORDER:

Notice before admission, returnable in four weeks.

This writ petition is filed questioning the proceedings dated 30.12.2025 issued by District Collector vide Computer No.63870/2025 in dissolving the Managing Committee of the 6th Respondent-Society as illegal and arbitrary.

Sri N.Siva Reddy, learned counsel, would submit that the Respondent No.6 Society is governed by A.P.Mutually Aided Cooperative Societies Act, 1995 and the provisions of the Act do not enable the District Collector to pass the impugned order unlike the provisions of the A.P.Cooperative Societies Act, 1964. Learned counsel would further submit that the impugned order is straight away passed without giving any opportunity of hearing to the Petitioners.

Learned Assistant Government Pleader would submit that the reasons given in the impugned order warrants no interference and the purpose of formation of the Mutually Aided Cooperative Society is being defeated.

Heard learned counsel for both the parties.

As per the Mutually Aided Cooperative Societies Act, prima facie, there is no power conferred on the District Collector to initiate any action i.e. dissolving the Committee of the Respondent No.6-Society.

Therefore, there shall be interim suspension of the impugned proceedings dated 30.12.2025 for a period of eight (8) weeks from today.

List on 16.02.2026.

SD/- K.SRINIVASA RAJU
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

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To,

1. The Pri. Secretary Co-operation Department, State of Andhra Pradesh, Secretariat Velagapudi - 522 503, Guntur District. (by **Special Messenger**)
2. The District Collector, Kakinada District at Kakinada - 533 001
3. The Executive Engineer, A.P.S.I.D.C. Division N.R. Peta, Eluru - 534 006, Eluru District.
4. The District Co-Operative Officer, Kakinada - 533 003
5. The Tahsildar, Samalkot Mandal Samalkot - 533 440, Kakinada District
6. The Chief Executive Officer, P.B. Devam Mutually Aided Lift Irrigation Co-Op. Society Ltd., (Regd.No.AMC/EGDT/DCO/2013/12), P.B. Devam - 533 434 Samalkot Mandal, Kakinada District (addressee 2 to 6 by **RPAD**)
7. One CC to Sri. N Siva Reddy, Advocate [OPUC]
8. Two CCs to GP FOR COOPERATION, High Court of Andhra Pradesh. [OUT]
9. Two CCs to GP FOR REVENUE, High Court of Andhra Pradesh. [OUT]
10. One CC to Sri. V.Raja Manohar, Advocate [OPUC]
11. One spare copy

HIGH COURT

VN,J

DATED:19/01/2026

List on 16.02.2026

NOTICE BEFORE ADMISSION

WP.No.1558 of 2026

INTERIM SUSPENSION

