

[3460]

**(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: 1555 OF 2026**



Between:

Achanta Raja Babu, S/o.Late Satyanarayana Aged 60 years, Occ Cultivation and President of Sri Thota Gopala Krishna Mutually Aided Lift Irrigation Cooperative Society Limited R/o.D.No.68-9-48/13, SBI Colony Ashoknagar, Kakinada, Kakinada District Andhra Pradesh -533 003

.... Petitioner

AND

1. The State of Andhra Pradesh, Rep.by its Principal Secretary. Cooperation Department A.R Secretariat, Velagapudi, Amaravati Guntur District - 522 238
2. The Collector and District Magistrate, Kakinada District, Kakinada, AP 533 001
3. The District Cooperative Officer, Kakinada District, Kakinada, AP-5.33 001
4. The Managing Director, A.R State Irrigation Corporation (APSIC) Vijayawada, NTR District, AP -520002
5. The Thota Gopala Krishna Mutually Aided Lift Irrigation Cooperative Society Limited, China Brahmadevam Village, Peddapuram Mandal Kakinada District, Andhra Pradesh - 533 437 Rep.by its Secretary
6. Palakurthi Srinivas Acharyulu Chowdary, S/o.Not Known, aged not known R/o.G.Medapadu Village, Peddapuram Mandal Kakinada District, AP. -533 434

... Respondents

WHEREAS the Petitioner above named through his Advocate SRI YASWANTH GADE presented this 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 an appropriate Order, Direction or Writ more particularly one in the nature of Writ of Mandamus, declaring the proceedings of the District Collector, Kakinada District in Computer No.63867/2025 Dt.30-12-2025 (received on 17-01-2026) in dissolving/ superceeding the Managing Committee of Sri Thota Gopala Krishna Mutually Aided Lift Irrigation Cooperative Society Limited, Chinabrahmadevam Village of Peddapuram Mandal, Kakinda District, Andhra Pradesh and appointing Three Men Committee to Manage the affairs of the said society without any power or authority and without any notice or opportunity of hearing as highly illegal, arbitrary and colourable exercise of power and without jurisdiction and consequently to set aside the same.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri YASWANTH GADE Advocate for the Petitioner, GP FOR COOPERATION for respondent nos.1 to 3, Sri M. Dhana Raju Standing Counsel for respondent no.4, 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 Principal Secretary, Cooperation Department A.R, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravati Guntur District - 522 238
2. The Collector and District Magistrate, Kakinada District, Kakinada, AP 533 001
3. The District Cooperative Officer, Kakinada District, Kakinada, AP-5.33 001
4. The Managing Director, A.R State Irrigation Corporation (APSIDC) Vijayawada, NTR District, AP -520002

5. The Secretary Thota Gopala Krishna Mutually Aided Lift Irrigation Cooperative Society ,Limited, China Brahmadevam Village, Peddapuram Mandal Kakinada District, Andhra Pradesh - 533 437
6. Palakurthi Srinivas Acharyulu Chowdary, R/o.G.Medapadu Village, Peddapuram Mandal Kakinada District, AP. -533 434

are be and hereby directed to show cause either appearing in person or through an advocate on or before 16.02.2026 to which date the case stands posted 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.

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 District Collector, Kakinada District, Andhra Pradesh in computer No.63867/2025 dt.30-12-2025 (received on 17- 01-2026), pending disposal of WP No. 1555 of 2026, on the file of the High Court.

The Court made the following: 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.63867/2025 in dissolving the Managing Committee of the 5th Respondent-Society and appointing a Three Men Committee to manage the affairs of the 5th Respondent Society as illegal and arbitrary.

Petitioner is the President of the 5th Respondent-Society. Sri K.Chidambaram, learned senior counsel, would submit that the Respondent No.5-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 senior counsel would further submit that the impugned order is straight away passed without giving any opportunity of hearing to the Petitioner.

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.5-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/- N. NAGAMMA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Cooperation Department A.R, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravati Guntur District - 522 238
2. The Collector and District Magistrate, Kakinada District, Kakinada, AP 533 001
3. The District Cooperative Officer, Kakinada District, Kakinada, AP-5.33 001
4. The Managing Director, A.R State Irrigation Corporation (APSIDC) Vijayawada, NTR District, AP -520002

5. The Secretary Thota Gopala Krishna Mutually Aided Lift Irrigation Cooperative Society , Limited, China Brahmadevam Village, Peddapuram Mandal Kakinada District, Andhra Pradesh - 533 437
6. Palakurthi Srinivas Acharyulu Chowdary, R/o.G.Medapadu Village, Peddapuram Mandal Kakinada District, AP. -533 434(1 to 6 by RPAD- along with a copy of petition and memorandum of grounds)
7. One CC to SRI. YASWANTH GADE Advocate [OPUC]
8. Two CCs to GP FOR COOPERATION ,High Court Of Andhra Pradesh. [OUT]
9. One spare copy

ksr

HIGH COURT

VN, J

DATED:19/01/2026

List on 16.02.2026.

NOTICE BEFORE ADMISSION

WP.No.1555 of 2026

DIRECTION

