



IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)

[3458]

THURSDAY, THE 30th DAY OF JULY 2026

PRESENT

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 1558/2026

Between:

Thotakura Srinivasa Prakasa Rao and Others

...PETITIONER(S)

AND

The State Of Ap and Others

...RESPONDENT(S)

Counsel for the Petitioner(S):

1.N SIVA REDDY

Counsel for the Respondent(S):

1.V V N NARAYANA RAO

2.GP FOR REVENUE

3.MANGENA SREE RAMA RAO

4.MALLIPUDI DHANA RAJU SC for APIDC Ltd.

5.GP FOR COOPERATION

WRIT PETITION NO: 1555/2026

Between:

Achanta Raja Babu

...PETITIONER

AND

The State Of Andhra Pradesh and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1.YASWANTH GADE

Counsel for the Respondent(S):

1.M SOLOMON RAJU

2.MALLIPUDI DHANA RAJU SC for APIDC Ltd.

3.GP FOR COOPERATION

The Court made the following:

COMMON ORDER:-

Heard Sri N.Siva Reddy, learned counsel for the petitioners, learned Government Pleader for Cooperation appearing for the respondent Nos.1 and 4, Sri Mallipudi Dhana Raju, learned Standing Counsel for the respondent No.3, Sri Mangena Sree Rama Rao, learned counsel for the respondent No.6 and Sri V.V.V.Narayana Rao, learned counsel for the respondent Nos.7 to 9, in W.P.No.1558 of 2026.

2. Heard Sri Yaswanth Gade, learned counsel for the petitioner, learned Government Pleader for Cooperation appearing for the respondent Nos.1 and 3, Sri Mallipudi Dhana Raju, learned Standing Counsel for the respondent No.4 and Sri M.Solomon Raju, learned counsel for the respondent No.6, in W.P.No.1555 of 2026.

3. Since the issue raised in both the writ petitions is one and the same, this Court deems it appropriate to dispose of both the writ petitions by way of a common order, taking W.P.No.1558 of 2026 as lead petition.

4. Vide the impugned proceedings, the 2nd respondent, dissolved the Managing Committee of the 6th respondent, challenging the same, the instant writ petition is filed by the Members of the Managing Committee of the 6th respondent.

5. It is contended that alleging certain irregularities in maintaining the Lift Irrigation Scheme, such as members who do not possess any land under the ayacut of the Lift Irrigation Scheme, have been admitted to benefits of scheme, and that deceased persons are also being continued as members,

further alleging that audit of the accounts is being conducted through a private auditor, the impugned orders have been passed.

6. Sri N.Siva Reddy, the learned counsel for the petitioners contends that the 2nd respondent does not have any jurisdiction to cause enquiry into the affairs of the society, nor can he take any action pursuant to the said enquiry against the Members of the Managing Committee. Nor does his jurisdiction is referable to any of the provisions of the Andhra Pradesh Mutually Aided Co-operative Societies Act, 1995, as the subject Society is a Mutually Aided Cooperative Society and powers of dissolution of the Committee do not vest with the District Collector. Sri N.Siva Reddy, learned counsel, further argues that before passing the impugned proceedings, the respondents did not provide any opportunity of hearing to the petitioners. It is further argued that the impugned action was on the basis of complaint made by, a person who is not even a member of the Society and further argued that the members of the Society have no grievance with the Managing Committee. The 6th respondent Society had come into existence with the sole objective of providing to serve the farming community with respect to their need for water resources.

7. The respondents Nos.7 to 9 were impleaded in the writ petition on their applications in I.A.No.3 of 2026. It is contended by learned counsel for the petitioners that the impleaded respondents have no locus to seek impleadment in the writ petition filed by the petitioners.

8. The official respondents filed counter affidavit stating that the petitioners' Committee had been dissolved on account of several irregularities and several complaints were received, and several other irregularities have been unearthed from the audited financial accounts, for the financial year 2025-26. Based on the said complaints, the impugned proceedings were issued. It is contended that the impugned proceedings were issued in terms of the provisions of G.O.Ms.No.41, Water Resources (CADA) Department, dated 07.09.2020, therefore, the proceedings are in accordance with law.

9. It is further contended that the 6th respondent can no longer continue having regard to the provisions of G.O.Ms.No.41, Water Resources (CADA) Department, dated 07.09.2020, as Special Officers under the said G.O. have been appointed.

10. It is contended by learned counsel for the 7th to 9th respondents in W.P.No.1558 of 2026, Sri V.V.N.Narayana Rao, that the unofficial respondents have locus to implead in the writ petition, as every year they have been remitting the requisite charges for usage of the water, to the 6th respondent Society. To point out the irregularities that have taken place in the society, they have approached the authorities to take action, leading to passing of the impugned order.

11. Having regard to the contentions advanced, I am of the view that the impugned proceedings of the 2nd respondent are without jurisdiction as the petitioner is a Mutually Aided Cooperative Society and the jurisdiction of the Collector in the facts of the case is not referable to any of the provisions of the

Andhra Pradesh Mutually Aided Co-operative Societies Act, 1995 (AP MACS Act). Accordingly, the impugned proceedings of the 2nd respondent are set aside. However, the unofficial respondent Nos.7 to 9 in W.P.No.1558 of 2026 and the unofficial respondent No.6 in W.P.No.1555 of 2026, at whose instance the enquiry was initiated, are at liberty to avail their remedies under law in terms of the provisions of the Andhra Pradesh Mutually Aided Co-operative Societies Act, 1995 (AP MACS Act).

12. With the above, the writ petitions are disposed of. There shall be no order as to costs.

As a sequel, miscellaneous applications pending, if any, shall also stand closed.

Dated: 30.07.2026
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JUSTICE KIRANMAYEE MANDAVA

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THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NOS:1558 and 1555 of 2026

Dated: 30.07.2026

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