

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

FRIDAY, THE THIRTIETH DAY OF AUGUST,

TWO THOUSAND AND TWENTY FOUR

: PRESENT:

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

IA No. 1 OF 2024

IN

WP NO: 11204 OF 2024



Between:

1. G R NO 1660 THUUMULURU PRIMARY AGRICULTURAL COOPERATIVE CREDIT SOCIETY LTD, rep.by its C.E.O Sri ArumullaPumareddy, Thuumulum Village, KollimaraMandal Guntur District. A.P.
2. Rg No, Pedhanandipadu Primary Agricultural Cooperative Credit Society Ltd, rep.by its C.E.O Sri KondepatiBhaskarrao, Pedhanandipadu Village, PedhanandipaduMandal, Guntur District.A.P.
3. Z-478The Jonnalagadda Primary Agricultural Cooperative Credit Society Ltd, rep.by its C.E.O Sri NandyalaVeera Reddy, Jonnalagada Village, NarasaraopetMandal, Palnadu District. A.P.
4. Z-480 The LingamguntlaPrimaay Agricultural Cooperative Credit Society Ltd, rep.by its C.E.O Sri MahipathiAnjaneyulu, Uppalapdu Village, NarasaraopetaMandalam, Palnadu District. A.p
5. N. 163 The Annavaram Primary Agricultural Cooperative Credit Society Ltd, rep. by its C.E.O Sri PolimeraVenkatareddy, Annavaram Village, RompicharlaMandalam, Palnadu District
6. Z121 The Cheemalamarri Primary Agricultural Cooperative Credit Society Ltd, rep. by its C.E.O MahepathiLakshminarayana, KandlaKunta Village, NagirikalluMandalam, Palnadu District.

7. N. 1037 The Ikkurm Primary Agricultural Cooperative Credit Society Ltd, rep. by its C.E.O Sri KantuSrinivasarao, Ikkurm Village, NarasaraopetaMandalam, Palnadu District. A.P.
8. H.1512, The Abbineniguntapalem Primary Agricultural Cooperative Credit Society Ltd, rep. by its C.E.O Sri MadmanchiSrinivaarao, Abbineniguntapalem Village, PedanandipaduMandalam, Guntur District.
9. N.392 The Chinnakondrupadu Primary Agricultural Cooperative Credit Society Ltd, rep.by its C.E.O PumiHarinarayana, Chinnakondrupadu Village, PrathipaduMandalam, Guntur District
10. 1.2079 The MallayapalemPrimaay Agricultural Cooperative Credit Society Ltd, rep.by its C.E.O BapathuSrinivasareddy, Mallayapalem Village, PrathipaduMandalam, Guntur District
11. I.2483 The Injanampadu Primary Agricultural Cooperative Credit Society Ltd, rep.by its C.E.O Sri MarthalaSrinivarao, Inganampadu Village, VatiicherukuruMandalam, Guntur District.
12. I.1486 The Chinthapallipadu Primary Agricultural Cooperative Credit Society Ltd, rep.by its C.E.O Sri MettuSeshagirirao, Chinthapallipadu Village, VatiicherukuruMandalam, Guntur District
13. I.2064 The Nimmagaddavaripalem Primary Agricultural Cooperative Credit Society Ltd, rep.by its C.E.O Sri Bapathu Jaya Barathareddy, NimmagaddavaripalemVillage, PrathipaduMandalam, Guntur District.
14. G.R.355The Return Primaay Agricultural Cooperative Credit Society Ltd, rep.by its C.E.O Sri Kondapaturi Rajesh, Return Village, KakumanuMandalam Guntur District.
15. J.267 The Kakumanu Primary Agricultural Cooperative Credit Society Ltd, rep.by its C.E.O Sri KolisettiSeshasai, Kakumanu Village, KakumanuMandalam, Guntur District.

...Petitioner(s)

(Petitioner in WP 11204 OF 2024
on the file of High Court)

AND

1. THE GUNTUR DISTRICT COOPERATIVE CENTRAL BANK LIMITED, rep. by its Chief Executive Officer, (C.E.O.), O/o. NTR Saliakara Bhavan, 2/13, Brodipet, Guntur, Guntur District, Andhra Pradesh.
2. The Principal Commissioner of Income Tax, Vijayawada, SVR Plaza, D. No-40-6-15, Siddartha Public School Road, Moghalrajapuram Road, Vijayawada - 520 010.
3. The State of Andhra Pradesh, rep. by its Principal Secretary, Agriculture and Co-operation Department, Secretariat, Amaravathi, Guntur District, Andhra Pradesh.
4. The Central Board of Direct Taxes, rep. by its Chairman, Department of Revenue, Ministry of Finance, Government of India, Secretariat Buildings, New Delhi - 110 00
5. The Commissioner of Income Tax (TDS), Vijayawada Vijayawada, SVR Plaza, D. No- 40-6-15, Siddartha Public School Road, Moghalrajapuram Road, Vijayawada - 520 010.
6. The Commissioner for Co-operation and Registrar of Co-operative Societies, Office at D.No 2-16-83, Sky Lark Towers, 11th line, Syamala Nagar, Guntur - 522 006
7. The National Bank for Agricultural and Rural Development, (NABARD), rep by its Chief General Manager APRO, O/o. D.NO 1-1-61, RTC X road, Musheerabad, Hyderabad- 500 020, Telangana State.

...Respondent(s)

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 stay the operation of the 'Circular', dated 21.03.2023 issued by the 1st Respondent, to the extent it directs not to receive amounts more than Rs.2-00 Lakhs, for repayment of loans already issued to members by the

Petitioners (Primary Agriculture Cooperative Credit Societies), Pending disposal of WP No.11204 of 2024, on the file of the High Court.

Petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the earlier order of the High Court dt.09.05.2024, 19.06.2024 & 10.07.2024 made herein and upon hearing the arguments of and of Ms. K.N. Vijaya Lakshmi, Standing Counsel for Respondent No.1, and of Sri P.Vijaya Kumar, Standing Counsel for Respondent Nos. 2 & 5, and of GP for Co-Operation for Respondent Nos. 3 & 6, and of Sri Santhi Chandra, Standing Counsel for Respondent No.4, the Court made the following

ORDER

“At request of the learned counsel for the petitioners, list the matter after three (3) weeks.”

In the meanwhile, respondents are directed to file their counters.

Interim order granted earlier stands extended by four (4) more weeks.”

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**Sd/- M. PRABAKAR RAO
ASSISTANT REGISTRAR**

SECTION OFFICER

To,

1. Two CCs to GP for Co-Operation, High Court of Andhra Pradesh [OUT]
2. One CC to Sri SrinivasBasava, Advocate [OPUC]
3. One CC to Sri K N VijayaLaxmi, Standing Counsel [OPUC]
4. One CC to Sri Santhi Chandra, Standing counsel [OPUC]
5. One CC to Sri P.Vijay Kumar, Standing Counsel [OPUC]
6. One Spare copy.

HIGH COURT

TRR, J

DATED: 30.08.2024

LIST THE MATTER AFTER THREE (3) WEEKS

ORDER

IA No. 1 OF 2024

IN

WP NO: 11204 OF 2024

INTERIM ORDER EXTENDED

