



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

THURSDAY, THE SIXTEENTH DAY OF MAY
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 11864 OF 2024

Between:

Ch.Venkata Rao, S/o. Ch.Veera Venkata Satyanarayana, Aged 66 years, Occ:Ex. CEO, Lampakalova Primary Agrl. Coop. Credit Society Ltd., R/o. H.No.5-12, Lampakalova Village, Prathipadu Mandal, East Godavari District, (Now Kakinada District), Andhra Pradesh - 533430.

Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Agriculture & Cooperation (Coop.IV) Department, Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The Deputy Registrar of Cooperative Societies, Peddapuram, East Godavari (Kakinada District) District, A.P.
3. The Special Category Deputy Registrar-Cum- District Cooperative Officer, East Godavari District at Kakinada.
4. Lampakalova Primary Agricultural Cooperative Society, Lampakalova, Prathipadu Mandal, East Godavari District, Rep.by its Chief Executive Officer.
5. The District Cooperative Central Bank, Rep.by its General Manager, Kakinada, East Godavari District.
6. Assistant Registrar No.II, Sub-Division, Prathipadu, East Godavari District
7. K.Chandrasekhar, S/o.not known to the Petitioner, Aged major. Assistant Registrar No.II, Sub-Division, Prathipadu, East Godavari District.

Respondents

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 a Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 2nd respondent in issuing surcharge proceedings under Sec.60(1) of AP Cooperative Societies Act, 1964, Rc.Nos.915/2022-DI(SI), 915/2022-D2(S2) and vide Notices 915/2022-D3(S3) dated 16.4.2024 received on 17.4.2024 as illegal, arbitrary, ~~without~~ jurisdiction, contrary Sec.60(1) (Proviso) of A.P. Cooperative Societies Act, 1964 and in violation of principles of natural justice and set aside the same.

IA NO: 1 OF 2024

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to grant stay of all further proceedings pursuant to the Surcharge Rc.Nos.915/2022-DI(SI), 915/2022-D2(S2) interim Proceedings Notices 915/2022-D3(S3) dated 16.4.2024 received on 17.4.2024 issued by the 2nd respondent, pending disposal of W.P.No.11864 of 2024, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.C.Raghu, learned Senior Counsel appeared through online, being assisted by SRI.P.VENKATA RAMANA Advocate for the Petitioner and GP for Cooperation for Respondent Nos.1 to 5, the Court made the following.

ORDER:

Heard Mr.C.Raghu, learned Senior Counsel appeared through online, being assisted by Mr.P.Venkataramana, learned counsel for the petitioner.

When the Court pointed out about the subject matter noticed in the earlier Writ Petition Nos.19442 of 2020, 30776 of 2022 and 5916 of 2023, learned Senior Counsel seeks time to produce the said notices.

List the matter before the next Summer Vacation Court (23.5.2024).

The petitioner shall attend the enquiry on 20.5.2024. However, no orders shall be passed on that day.

//TRUE COPY//

Sd/- B. PRASADA RAO
ASSISTANT REGISTRAR

For

SECTION OFFICER

To,

1. The Principal Secretary, Agriculture & Cooperation (Coop.IV) Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The Deputy Registrar of Cooperative societies, Peddapuram, East Godavari (Kakinada District) District, A.P.
3. The Special Category Deputy Registrar-Cum- District Cooperative Officer, East Godavari District at Kakinada.
4. Lampakalova Primary Agricultural Cooperative Society, Lampakalova, Prathipadu Mandal, East Godavari District, Rep.by its Chief Executive Officer.
5. The General Manager, District Cooperative Central Bank, Kakinada, East Godavari District.
6. Assistant Registrar No.II, Sub-Division, Prathipadu, East Godavari District
7. K.Chandrasekhar, Assistant Registrar No.II, Sub-Division, Prathipadu, East Godavari District. (1 TO 7 by RPAD)
8. One CC to SRI.P.VENKATA RAMANA Advocate [OPUC]
9. Two CCs to GP FOR COOPERATION, High Court of Andhra Pradesh. [OUT]
10. One spare copy

SRL

HIGH COURT

SRS,J

DATED:16/05/2024

NOTE: LIST THE MATTER BEFORE THE NEXT SUMMER VACATION COURT
(23.5.2024).

ORDER

WP.No.11864 of 2024

DIRECTION

