

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

(SPECIAL ORIGINAL JURISDICTION)

FRIDAY, THE TWENTIETH DAY OF DECEMBER

TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

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-D1(S1), 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.

IA NO: 1 OF 2024

Petition under Section 151 of 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 grant stay of all further proceedings pursuant to the Surcharge Rc.Nos.915/2022-D1(S1), 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 the earlier orders of the High Court dated 16.05.2024, 23.05.2024, 20.06.2024, 25.07.2024, 22.08.2024, 26.09.2024, 17.10.2024, 13.11.2024 & 27.11.2024 made herein and upon hearing the arguments of Sri P.Venkata Ramana, Advocate for the Petitioner and of GP for Cooperation for Respondent Nos. 1 to 4 & 6 and Sri Srinivasa Basava Advocate for respondent No.5, the Court made the following

ORDER:

List the matter on 20.01.2025.

In the meanwhile, learned counsel for the respondents are directed to file counter.

Interim order granted earlier is extended till then.

//TRUE COPY//

SD/- A. VIJAYA BABU
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. One CC to SRI.P.VENKATA RAMANA, Advocate [OPUC]
2. One CC to SRI.SRINIVASA BASAVA, Advocate [OPUC]
3. Two CCs to GP FOR COOPERATION, High Court of Andhra Pradesh.
[OUT]
4. One spare copy

svp

HIGH COURT

TRR, J

DATED:20.12.2024

List the matter on 20.01.2025

ORDER

WP.No.11864 of 2024

INTERIM ORDER EXTENDED

