

**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**



THURSDAY, THE TWENTY THIRD 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 Rao1, 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 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 CPC 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 WP 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 order of the High Court dated 16.05.2024 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 6 and the Court made the following

ORDER:

"List the matter on 20.6.2024.

Till such time, the respondent authorities shall not proceed with the enquiry pursuant to the notices dated 16.4.2024 vide Rc.Nos.915/2022-D1(S1), 915/2022-D2(S2) and 915/2022-D3(S3)."

Sd/- U. SRI DEVI
ASSISTANT REGISTRAR
AS
SECTION OFFICER

//TRUE COPY//

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. The Chief Executive Officer Lampakalova Primary Agricultural Cooperative Society, Lampakalova, Prathipadu Mandal, East Godavari District.
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. (Addressee Nos. 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.

PSD

HIGH COURT

SRS,J

DATED:23/05/2024

LIST THE MATTER ON 20.06.2024

ORDER

WP.No.11864 of 2024



DIRECTION