

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

WEDNESDAY, THE FIRST DAY OF JULY
TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY
WRIT PETITION NO: 16741 OF 2026



Between:

K. Kondal Rao, S/o K. Suri, aged about 59 years, Working as Staff Assistant, Pendurthi Primary Agricultural Credit Cooperative Society, Pendurthi, Visakhapatnam District, Andhra Pradesh

Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Agriculture and Cooperation Department, A.P. Secretariat, Velagapudi, Amaravati, Guntur District, A.P.522238
2. The Commissioner of Cooperation and Registrar of Cooperative Societies, Government of Andhra Pradesh, Vijayawada, Krishna District.52200
3. The Divisional Cooperative Officer, Visakhapatnam, Visakhapatnam District.5300010
4. Pendurthi Primary Agricultural Credit Cooperative Society, Rep. by its Chief Executive Officer, Pendurthi, Visakhapatnam District.531173
5. Pendurthi Primary Agricultural Credit Cooperative Society, Rep. by its Chairman / Person-in-Charge Committee, Pendurthi, Visakhapatnam District. 531173

.... Respondents

WHEREAS the Petitioner above named through his Advocate M/s. ANKELA PADMA presented this 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 an appropriate Writ, Order or Direction, more particularly a Writ of Mandamus, declaring the action of the 5th Respondent in issuing the impugned notice dated 30.05.2026 retiring the Petitioner on attaining the age of 60 years and in not extending the age of superannuation from 60 years to 62 years, as illegal, arbitrary, violative of Article 14 of the Constitution of India and contrary to G.O.Ms.No.15, Finance (HR-IV FR & LR) Department, dated 31.01.2022 and also contrary to G.O.Ms.No.15 dated 04.02.2019 and G.O.Ms.No.36 dated 01.03.2019 (amending Rule 28 of the A.P. Cooperative Societies Rules, 1964), and consequently direct the Respondents to enhance the age of superannuation of the Petitioner from 60 years to 62 years and permit the Petitioner to continue in service of the 5th Respondent Society until he attains the age of 62 years.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri A PADMA Advocate for the Petitioner, GP FOR SERVICES for respondent nos.1 to 3, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Principal Secretary, Agriculture and Cooperation Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravati, Guntur District, A.P.522238
2. The Commissioner of Cooperation and Registrar of Cooperative Societies, Government of Andhra Pradesh, Vijayawada, Krishna District.52200
3. The Divisional Cooperative Officer, Visakhapatnam, Visakhapatnam District.5300010

4. The Chief Executive Officer, Pendurthi Primary Agricultural Credit Cooperative Society, Pendurthi, Visakhapatnam District.531173
5. The Chairman / Person-in-Charge Committee, Pendurthi Primary Agricultural Credit Cooperative Society, Pendurthi, Visakhapatnam District. 531173

are be and hereby directed to show cause either appearing in person or through an advocate on or before 21.07.2026 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

IA NO: 1 OF 2026

Petition under Section 151 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 direct the Respondents to permit the Petitioner to continue in service by extending the age of superannuation from 60 years to 62 years in terms of G.O.Ms.No.15, Finance (HR-IV FR & LR) Department dated 31-01-2022 and G.O.Ms.No.15 dated 04.02.2019 and G.O.Ms.No.36 dated 01.03.2019, pending disposal of WP No. 16741 of 2026, on the file of the High Court.

The Court made the following: ORDER

1. Notice before admission.
2. The present Writ Petition is filed question the action of the Respondents in not extending the benefit of enhanced age of superannuation from 60 to 62 years to the Petitioner pursuant to the resolutions of the Executive Committee as well as the General Body of the Respondent-Society and to declare the same as illegal and arbitrary.

3. The learned Government Pleader submits that the Division Bench of this Court in W.A.No.649 of 2024 had passed an interim order on 11.09.2024 suspending the order of the learned Single Judge with regard to the same relief.

4. Heard the respective counsel.

5. The learned counsel for the Petitioner submits that though the Division Bench of this Court in W.A.649 of 2024 had stayed the enhancement of age of superannuation of 62 years, the distinguishable factor in this case is that the General Body as well as the Executive Committee of the Respondent-Society had resolved to enhance the age of its employees on par with the Government employees i.e., 62 years. Apart from that Rule 28(7) of the Andhra Pradesh Co-operative Societies Rules enables the Society to enhance the age of its employees on par with the Government employees. In W.A.No.649 of 2024, the interim orders were passed at the instance of the Co-operative Society which did not pass any General Body or Executive Committee resolution as done in this case.

6. In that view, there shall be interim order as under;

(i) The Respondent-authorities shall continue the Petitioner till he attains the age of 62 years pending further orders;

7. Post this case on 21.07.2026 along with W.P.No.16226 of 2026 and batch.

//TRUE COPY//

SD/- N.SRINIVASA RAO
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Agriculture and Cooperation Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravati, Guntur District, A.P.522238

2. The Commissioner of Cooperation and Registrar of Cooperative Societies, Government of Andhra Pradesh, Vijayawada, Krishna District.52200
3. The Divisional Cooperative Officer, Visakhapatnam, Visakhapatnam District.5300010
4. The Chief Executive Officer, Pendurthi Primary Agricultural Credit Cooperative Society, Pendurthi, Visakhapatnam District.531173
5. The Chairman / Person-in-Charge Committee, Pendurthi Primary Agricultural Credit Cooperative Society, Pendurthi, Visakhapatnam District. 531173(1 to 5 by RPAD- along with a copy of petition and memorandum of grounds)
6. One CC to SRI. A PADMA Advocate [OPUC]
7. Two CCs to GP FOR SERVICES II ,High Court Of Andhra Pradesh.
[OUT]
8. One spare copy

KSR

HIGH COURT

VN, J

DATED:01/07/2026

Post this case on 21.07.2026 along with W.P.No.16226 of 2026 and batch.

NOTICE BEFORE ADMISSION

WP.No.16741 of 2026

DIRECTION

