

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

THURSDAY, THE TWENTY FIFTH DAY OF JUNE,
TWO THOUSAND AND TWENTY SIX



:PRESENT:
THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 16826 OF 2026

Between:

Shaik Gaffoor, S/o Shaik Khadar Saheb, Aged about 60 years,
R/o.D.No.2-295, Gollapalem Doravarisatram Mandal, SPSR Nellore
District, Andhra Pradesh - 524123.

Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Cooperation Department, Secretariat Buildings, Velagapudi, Amaravati, Guntur District, Andhra Pradesh - 522238.
2. The Registrar of Cooperative Societies, Government of Andhra Pradesh, Vijayawada, NTR District, Andhra Pradesh - 520001.
3. The District Cooperative Officer, SPSR Nellore District, Nellore, Andhra Pradesh - 524001.
4. The District Level Empowered Committee (DLEC), SPSR Nellore District, Rep. by its Convener, Nellore, Andhra Pradesh -524001.
5. The Chairperson, Nelaballi Primary Agricultural Cooperative Society (PACS), Andhra Pradesh - 524123. Doravarisatram Mandal, Tirupati District,
6. Nelaballi Primary Agricultural Cooperative Society (PACS), Rep. by its Chairperson/Person-In-Charge, Doravarisatram Mandal, Tirupati District, Andhra Pradesh - 524123.

Respondents

WHEREAS the Petitioner above named through his Advocate Sri. REGULAGADDA VENKATESH, 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 a Writ, Order, or Direction, particularly one in the nature of a Writ of Mandamus, declaring the inaction of the Respondents in extending the benefit enhanced age of superannuation from 60 to 62 years despite the resolution dated 31.03.2026 passed by the 6th respondent as illegal, arbitrary, unconstitutional and violative of G.O.Ms.No. 15, Finance (HR-IV-FR & LR) Department, dated 31.01.2022 and Articles 14, 16 and 21 of the Constitution of India and contrary to the Andhra Pradesh Cooperative Societies Act, 1964, and consequently direct the Respondents to continue the petitioner in service up to the age of 62 years with continuity of service, without break in service, with all attendant benefits including salary, arrears, seniority, increments and all consequential service benefits;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri REGULAGADDA VENKATESH, Advocate for the Petitioner and of GP FOR CO-OPERATION, for the Respondent Nos.1 to 4, directed issue of notice to the Respondent Nos.5 & 6, herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Chairperson, Nelaballi Primary Agricultural Cooperative Society (PACS), Andhra Pradesh - 524123, Doravarisatram Mandal, Tirupati District,
2. The Chairperson/Person-In-Charge, Nelaballi Primary Agricultural Cooperative Society (PACS), Doravarisatram Mandal, Tirupati District, Andhra Pradesh - 524123.

are be and hereby directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition

and the memorandum of grounds 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 continue the service of the petitioner in terms of G.O.Ms.No.15, Finance (HR-IV-FR & LR) Department, dated 31.01.2022 as per the resolution dated 31.03.2026 pending disposal of the above writ petition;

The Court made the following ORDER:

1. Notice before admission.
2. Learned Government Pleader for Co-operation takes notice for Respondent Nos.1 to 4.
3. Issue notice to Respondent Nos.5 and 6.
4. Learned counsel for the Petitioner is also permitted to take out personal notice to Respondent Nos.5 and 6 by RPAD and file proof of service in the Registry by the next date.
5. The present Writ Petition is filed questioning 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.
6. 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.
7. Heard the respective counsel.
8. 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.

9. In that view, there shall be interim order as under;
 - (i) The Respondents shall continue the Petitioner till he attains the age of 62 years pending further orders.
10. Post this case along with W.P.No.16226 of 2026.

//TRUE COPY//

Sd/-U.SRIDEVI
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Cooperation Department, The State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Amaravati, Guntur District, Andhra Pradesh - 522238. (by SPECIAL MESSENGER)
2. The Registrar of Cooperative Societies, Government of Andhra Pradesh, Vijayawada, NTR District, Andhra Pradesh - 520001.
3. The District Cooperative Officer, SPSR Nellore District, Nellore, Andhra Pradesh - 524001.
4. The District Level Empowered Committee (DLEC), SPSR Nellore District, Rep. by its Convener, Nellore, Andhra Pradesh -524001. (Addressee Nos. 2 to 4 BY RPAD)
5. The Chairperson, Nelaballi Primary Agricultural Cooperative Society (PACS), Andhra Pradesh - 524123. Doravarisatram Mandal, Tirupati District,

6. The Chairperson/Person-In-Charge, Nelaballi Primary Agricultural Cooperative Society (PACS), Doravarisatram Mandal, Tirupati District, Andhra Pradesh - 524123. (5 & 6 by RPAD- along with a copy of petition and affidavit)
7. One CC to Sri. REGULAGADDA VENKATESH, Advocate [OPUC]
8. Two CCs to GP FOR SERVICES II, High Court Of Andhra Pradesh. [OUT]
9. One spare copy

JSS

HIGH COURT

VN, J

DATED:25/06/2026

POST THIS CASE ALONG WITH W.P.NO.16226 OF 2026.

NOTICE BEFORE ADMISSION



WP.No.16826 of 2026

INTERIM DIRECTION