

(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: 17364 OF 2026



Between:

Bondalapati Kumar Raja, S/o. B. Koteswara Rao, Aged about 59 years, Chief Executive Officer, Bodduripalem Primary Agricultural Co-operative Credit Society Ltd. (No. I-2092), D. No. 14-24-46(1), 3rd Ward, Munusuburipalem Village, Repalle Mandal, Bapatla District, Andhra Pradesh - 522265.

Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary to Government, Co-operation Department, Secretariat, Amaravati.-522238
2. Commissioner for Co-operation and Registrar of Co-operative Societies, Andhra Pradesh, Guntur.-522002
3. The District Co-operative Officer, Bapatla District, Bapatla.-522101
4. The Divisional Co-operative Officer, Bapatla Division, Bapatla.-522101
5. The Managing Committee, Rep by its Chairperson/Person-in-Charge, Bodduripalem Primary Agricultural Co-operative Credit Society Ltd. (No. I-2092), D. No. 1-170, Bodduripalem Village, Nagaram Mandal, Bapatla District, Andhra Pradesh - 522262.

Respondents

WHEREAS the Petitioner above named through his Advocate Sri RAVI TEJA GUDE 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

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Direction, more particularly one in the nature of a Writ of Mandamus, declaring the inaction of Respondents No. 3 and 4 in not approving the General Body Resolutions No. 6 and 7 dated 30.03.2026 passed by the Bodduripalem Primary Agricultural Co-operative Credit Society Ltd. (No. I-2092) as arbitrary, illegal, contrary to Rule 28(7) of the APCS Rules (inserted vide G.O.Ms.No. 15 dated 04.02.2019) and G.O.Ms.No. 36 dated 01.03.2019, and violative of Articles 14 and 21 of the Constitution of India and consequently direct the Respondents to continue the Petitioner in service as Chief Executive Officer of the said Society until he attains the age of 62 years (i.e., till 30.06.2028) in terms of G.O.Ms.No. 15 dated 31.01.2022;

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri RAVI TEJA GUDE Advocate for the Petitioner, GP for Cooperation for R1 to R4 directed issue of notice to the Respondent No.5 herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

The Chairperson/Person-in-Charge, Managing Committee,
Bodduripalem Primary Agricultural Co-operative Credit Society Ltd.
(No. I-2092), D. No. 1-170, Bodduripalem Village, Nagaram Mandal,
Bapatla District, Andhra Pradesh - 522262.

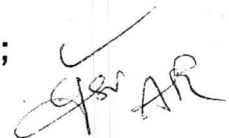
are be and hereby directed to show cause either appearing in person or through an Advocate as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

IA NO: 1 OF 2026

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 issue an interim direction directing the Respondents not to give effect to the superannuation of the Petitioner scheduled on 30.06.2026, and to continue him in service as Chief Executive Officer of the Society, pending disposal of WPNo. 17364 of 2026, on the file of the High Court.

The Court made the following: ORDER

1. Notice before admission.
2. Learned Government Pleader for Co-operation takes notice for Respondent Nos.2 to 4.
3. Issue notice to Respondent No. 5
4. Learned counsel for the Petitioner is also permitted to take out personal notice to Respondent No. 5 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/- Y.SRINIVASU
ASSISTANT REGISTRAR

For SECTION OFFICER

To,

1. The Chairperson/Person-in-Charge, Managing Committee,
Bodduvaripalem Primary Agricultural Co-operative Credit Society Ltd.
(No. I-2092), D. No. 1-170, Bodduvaripalem Village, Nagaram Mandal,
Bapatla District, Andhra Pradesh - 522262. (by **RPAD**- along with a
copy of petition and memorandum of grounds)
2. One CC to SRI. RAVI TEJA GUDE Advocate [OPUC]
3. Two CCs to GP FOR SERVICES II ,High Court Of Andhra Pradesh.
[OUT]
4. One spare copy

HIGH COURT

VN,J

DATED:01/07/2026

POST THIS CASE ALONG WITH W.P.No.16226 of 2026.

NOTICE BEFORE ADMISSION

WP.No.17364 of 2026

INTERIM ORDER

