

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

WEDNESDAY, THE 29TH DAY OF JULY, 2026

:PRESENT:

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 21038 OF 2026



Between:

Manthina Nageswara Rao, S/o. Late Sri Chandra Rao Age 60 Years,
Occ:Ex-Chief Executive Officer, PACS R/o. Door No. 1-48, Katavaram -
533 293 Seethanagaram Mandal, E.G. Dist

.... Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Prl. Secretary Co-operation Department, A.P. Secretariat, Velagapudi - 522 237, Guntur District
2. The Commissioner for Co-operation and Registrar of Co-operative Societies-AP, Guntur - 522 001, Guntur District
3. The District Co-operative Officer, Rajamahendravaram - 533 103, E.G. District
4. The Divisional Co-operative Officer, Rajamahendravaram - 533 103, E.G. District
5. The District Co-operative Central Bank Ltd, Kakinada - 533 003, Rep. by its CEO
6. Sri Ramalingeswara Primary Agricultural Co-operative Credit Society Ltd., No.B-49, Katavaram - 533 293 Seethanagaram Mandal, E.G. Dist, Rep. by its Chairperson 3-Member Managing Committee

... Respondents

WHEREAS the Petitioner above named through his Advocate SRI N SIVA REDDY 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 more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the Respondents in retiring the Petitioner from service as Chief Executive Officer of the 6th Respondent Society on the ground that he attained the age of 60 years for superannuation on 31.01.2026 without extending the benefit of enhancement of the age of superannuation from 60 to 62 years to the Petitioner on par with the other Government employees as per G.O.Ms.No.15 Finance (HR.IV FR and LR) Dept., dated 31.01.2022 and Section 115 - C and D of Andhra Pradesh Co-operative Societies Act, 1964 as illegal, arbitrary and violative of Articles 14, 19 and 21 of the Constitution of India and consequently direct the Respondents to reinstate the Petitioner into service as Chief Executive Officer of the 6th Respondent Society and continue him till he attains the age of 62 years in consonance with G.O.Ms.No.15 Finance (HR.IV FR and LR) Dept., dated 31.01.2022.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri N SIVA REDDY Advocate for the Petitioner, GP FOR COOPERATIVE SOCIETIES for respondent nos.1 to 4, Standing Counsel for respondent no.5, 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 District Co-operative Central Bank Ltd, Kakinada - 533 003, Rep. by its CEO
2. The Chairperson 3-Member Managing Committee, Sri Ramalingeswara Primary Agricultural Co-operative Credit Society Ltd., No.B-49, Katavaram - 533 293 Seethanagaram Mandal, E.G. Dist,

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 Direct the Respondents to permit the Petitioner to work as Chief Executive Officer in the 6th Respondent Society till he attains the age of 62 years in consonance with G.O.Ms.No.15, Finance (HR.IV FR & LR) Department, dated 31.01.2022, pending disposal of WP No. 21038 of 2026, on the file of the High Court.

The Court made the following: ORDER

- 1. Notice before admission, returnable in four weeks.**
- 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 SPAD 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 an 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 connected W.P.No.16226 of 2026.

Sd/-T.SRINIVASA RAO

ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The CEO, District Co-operative Central Bank Ltd, Kakinada - 533 003
2. The Chairperson 3-Member Managing Committee, Sri Ramalingeswara Primary Agricultural Co-operative Credit Society Ltd., No.B-49, Katavaram - 533 293 Seethanagaram Mandal, E.G. Dist, (1 & 2 by RPAD- along with a copy of petition and memorandum of grounds)
3. One CC to SRI. N SIVA REDDY Advocate [OPUC]
4. One CC to Standing Counsel for Central Government [OPUC]

5. Two CCs to GP FOR COOPERATIVE SOCIETIES, High Court Of Andhra Pradesh. [OUT]
6. **One spare copy**

KSR

HIGH COURT

VN, J

DATED:29/07/2026

Post this case along with connected W.P.No.16226 of 2026.

NOTICE BEFORE ADMISSION

WP.No.21038 of 2026

DIRECTION

