



**(SHOW CAUSE NOTICE BEFORE ADMISSION)  
IN THE HIGH COURT OF ANDHRA PRADESH  
AT AMARAVATI  
(Special Original Jurisdiction)**



WEDNESDAY, THE 5<sup>th</sup> DAY OF AUGUST 2026

**PRESENT**

**THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY**

**WRIT PETITION NO: 22066 OF 2026**

**Between:**

Sri P R Prasad, S/o. P.Gopala Rao, aged about 60 years, Occ Chief executive Officer, M/s. Mustikuntia PACS No.H-1441, R/o. H.No.91-74, Kummari Bazar, Nadim Tiruvuru (V), NTR District, Andhra Pradesh.-521235

**...Petitioner**

**AND**

1. The State of Andhra Pradesh, rep. by its Principal Secretary, Agriculture and Co-operation Department, Secretariat, Amaravathi, Andhra Pradesh.-522238
2. The District Cooperative officer DCO, NTR District, Andhra Pradesh.-520001
3. The Krishna District Cooperative Central Bank Ltd, rep. by its Chief Executive Officer, CEO, KDCC Bank, Machilipatnam, Andhra Pradesh.-521001
4. M/s Mustikuntia PACS No H1441, rep. by its Chair-Person, 3-Men Committee, Mustukuntla Village, Tiruvuru (M), NTR District, Andhra Pradesh.-521235

**...Respondents**

WHEREAS the petitioner above named through his Advocate Smt BOBBA VIJAYALAKSHMI 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 issuance of an appropriate Writ, Order, or direction more particularly one in the nature of Writ of Mandamus, by declaring the action of the Respondent No.2 to 4 officials in preventing the petitioner to be in service up to age of 62 years, even after 4<sup>th</sup>

Respondent passed Resolution No.8 in General Body dated 30.03.2024 and giving letter dated 01.08.2026 for increasing the age of retirement from 60 to 62 years to employees in 4<sup>th</sup> Respondent, as illegal, arbitrary, without jurisdiction and contrary to the principles of natural justice, violative of Fundamental Rights guaranteed under Articles 14 and 21 of the Constitution of India and contrary to the provisions of the Andhra Pradesh Cooperative Societies Act, 1964 and Rules made therein and consequently direct the respondents to continue the petitioner in service in 4<sup>th</sup> Respondent till attain 62 years of age;

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of SRI BOBBA VIJAYALAKSHMI Advocate for Petitioner and of GP for Agriculture Cooperation for R1 and R2, Smt.V.Hima Bindu, Standing counsel for R3 directed issue of notice to Respondent No.4 herein to show cause as to why this WP should not be admitted

You viz:

1. The Chair-Person, 3-Men Committee, M/s Mustikuntia PACS No H1441, Mustukuntla Village, Tirvuru (M), NTR District, Andhra Pradesh.-521235

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 WP should not be admitted on or before on which date the case stands posted for hearing.

**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 continue the services of the petitioner till he attains the age of 62 years in 4<sup>th</sup> Respondent, pending disposal of WRIT PETITION No.22066 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 and 2.**
- 3. Sri S. Vijay Kumar, learned Standing Counsel takes notice for Respondent No.3.**
- 4. Issue notice to Respondent No.4.**
- 5. Learned counsel for the Petitioner is also permitted to take out personal notice to Respondent No.4 by SPAD and file proof of service in the Registry by the next date.**
- 6. 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.**
- 7. 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.**
- 8. Heard the respective counsel.**
- 9. 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.

10. 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;

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

SD/-M.SRINIVAS  
DEPUTY REGISTRAR

//TRUE COPY//

  
SECTION OFFICER

To,

1. The Principal Secretary, State of Andhra Pradesh, Agriculture and Co-operation Department, Secretariat, Amaravathi, Andhra Pradesh.-522238. (by **Special Messenger** - along with a copy of petition and memorandum of grounds)
2. The District Cooperative officer DCO, NTR District, Andhra Pradesh.-520001
3. The Chief Executive Officer, CEO, Krishna District Cooperative Central Bank Ltd; KDCC Bank, Machilipatnam, Andhra Pradesh.-521001
4. The Chair-Person, 3-Men Committee, M/s Mustikuntla PACS No H1441, Mustukuntla Village, Tirvuru (M), NTR District, Andhra Pradesh.-521235 (addressee 2 to 4 by **RPAD**- along with a copy of petition and memorandum of grounds)
5. One CC to SRI. BOBBA VIJAYALAKSHMI, Advocate [OPUC]
6. Two CCs to GP for Agriculture Cooperation, High Court of Andhra Pradesh [OUT]
7. One CC to Smt.V.Hima Bindu, Standing counsel [OPUC]
8. One spare copy

**HIGH COURT**

**VN,J**

**DATED:05/08/2026**

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

**NOTICE BEFORE ADMISSION**

**WP NO. 22066 OF 2026**

**INTERIM ORDER**

