

APHC010410522026 (SHOW CAUSE NOTICE BEFORE ADMISSION)



IN THE HIGH COURT OF ANDHRA PRADESH

AT AMARAVATI

(Special Original Jurisdiction)

WEDNESDAY, THE 5th DAY OF AUGUST 2026

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 22061 OF 2026



Between:

M.Chinna Pulliah, S/o. M.Venkateshwara Rao, aged about 60 years, Occ.
CEO, M/s. Tummagudem PACS No.H-1934, Rio. H.No.1-250,
Janardhanavaram (V), West Godavari District, Andhra Pradesh.-521321

...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, West Godavari District, Andhra Pradesh.534001
3. The District Cooperative Central Bank Limited, Eluru, rep. by its Chief Executive Officer, (C.E.O.), O/o. Panuganti vani Street, R.R.Pet, Eluru, Eluru/West Godavari District, A.P.-534006
4. M/s Tummagudem PACS Ltd, No.H-1934, rep. by its Chair-Person/In-Charge, Tummagudemvillage, Chatrai Mandal, West Godavari District, Andhra. Pradesh.-521214

...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 4th Respondent passed Resolution No.4 in General Body dated 30.03.2024 and issuing letter 01.08.2026 for increasing the age of retirement from 60 to 62 years to employees in 4th Respondent, as illegal, arbitrary, without jurisdiction and contrary to the principles of natural justice, violative of Fundamental Rights guaranteed under Article 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 4th Respondent till attain 62 years of age;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Smt Bobba Vijayalakshmi Advocate for Petitioner and GP for Co-operation for Respondent Nos.1 & 2 and Sri S.Vijay Kumar, Standing Counsel for Respondent No.3, directed issue of notice to the Respondent No.4 herein to show cause as to why this WP should not be admitted

You viz:

The Chair-Person/In-Charge, M/s Tummagudem PACS Ltd, No.H-1934, Tummagudem village, Chatrai Mandal, West Godavari District, Andhra Pradesh.-521214

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 WP 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 continue the services of the petitioner till he attains the age of 62 years in 4th Respondent, pending disposal of the above

Writ Petition, pending disposal of WRIT PETITION 22061 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.

//TRUE COPY//

SD/- T.SRINIVASA RAO
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, State of Andhra Pradesh, Agriculture and Co-operation Department, Secretariat, Amaravathi, Andhra Pradesh.-522238 (by **Special Messenger**)
2. The District Cooperative officer DCO, West Godavari District, Andhra Pradesh.534001
3. The Chief Executive Officer, (C.E.O.), District Cooperative Central Bank Limited, Eluru, O/o. Panuganti vani Street, R.R.Pet, Eluru, Eluru/West Godavari District, A.P.-534006 (Addressee nos.2 & 3 by **Speed Post**)
4. The Chair-Person/In-Charge, M/s Tummagudem PACS Ltd, No.H-1934, Tummagudemvillage, Chatrai Mandal, West Godavari District, Andhra Pradesh.-521214 (by **Speed Post**- along with a copy of petition and affidavit)
5. One CC to Smt Bobba Vijayalakshmi, Advocate [OPUC]
6. Two CCs to GP for Co-operation, High Court of Andhra Pradesh [OUT]
7. One CC to Sri S.Vijay Kumar, 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. 22061 OF 2026

DIRECTION

