

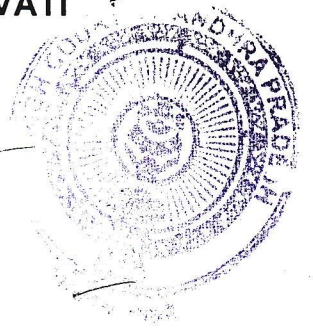
**(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

MONDAY, THE ELEVENTH DAY OF AUGUST,

TWO THOUSAND AND TWENTY FIVE

**:PRESENT:
THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY**

WRIT PETITION NO: 21044 OF 2025



Between:

Boina Mosha, S/o Prakasam, aged about 64 years, Occ: Retd. Employee, R/o D. No.5/240, Johnpet, Perala, Chirala Town and Mandal, Bapatla District.

Petitioner

AND

1. The State of Andhra Pradesh, Rep by its Principal Secretary, Agriculture and cooperation Department, Secretariat Buildings, Amaravati.
2. The District Cooperative Officer, Vizianagaram, Vizianagaram District.
3. The Divisional Co-operative Officer, Vizianagaram, Vizianagaram District.
4. The Visakhapatnam District Cooperative Government Employees Cooperative Society Ltd., No.M568, Visakhapatnam, Rep. by its Secretary, Diamond Park, Visakhapatnam, Visakhapatnam District.

Respondents

WHEREAS the Petitioner above named through his Advocate Sri. D KRISHNA MURTHY, 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 of Mandamus or any other appropriate Writ Order or direction, declaring the action of

respondent No.4 in addressing a letter dated 3.1.2025 to respondent No.3 asking him to recover an amount of Rs 8,11,842/- from petitioner's pensionary benefits without taking recourse to the procedure contemplated under sections 61, 62 & 71 of Andhra Pradesh Cooperative Society Act 1964, as illegal, arbitrary and without jurisdiction.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri D KRISHNA MURTHY Advocate for the Petitioner and of GP FOR SERVICES-II, for the Respondent Nos. 1 to 3, directed issue of notice to the Respondent No.4 herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

The Secretary, The Visakhapatnam District Cooperative Government Employees Cooperative Society Ltd., No.M568, Visakhapatnam, Diamond Park, Visakhapatnam, Visakhapatnam District.

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 on or before **15.09.2025** to which date the case stands posted for hearing.

IA NO: 1 OF 2025

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 respondent Nos. 2 and 3 to release petitioner's pensionary benefits without giving effect to the letter dated 3.1.2025 issued by respondent No.4 to the respondent No.3 for recovery of the alleged amount of Rs 8,11,842/- from petitioner's pensionary benefits pending disposal of the above Writ Petition.

The Court made the following ORDER:

Issue notice to the Respondent No.4.

Learned counsel for the Petitioner is permitted to take out personal notice on the Respondent No.4 by RPAD and file proof of service in the Registry.

The present Writ Petition is filed questioning the action of the Respondent No.4 in addressing a letter dated 03.01.2025 to Respondent No.3 calling for recovery of an amount of Rs. 8,11,842/- from pensionary benefits of the Petitioner on the premise that the said amount is outstanding from the loan taken by the Petitioner.

Learned counsel for the Petitioner would submit that the loan amount cannot be recovered from pensionary benefits.

Since there is some force in the contention of the learned counsel for the Petitioner, *status quo* shall be maintained, pending further orders with regard to disbursement of the pensionary benefits as sought by the Respondent No.4.

Post on 15.09.2025.

//TRUE COPY//

**SD/- B.PRASAD RAO
ASSISTANT REGISTRAR
SECTION OFFICER**

To,

- 1. The Principal Secretary, Agriculture and cooperation Department, The State of Andhra Pradesh, Secretariat Buildings, Amaravati. (by SPECIAL MESSENGER)**
- 2. The District Cooperative Officer, Vizianagaram, Vizianagaram District.**
- 3. The Divisional Co-operative Officer, Vizianagaram, Vizianagaram District. (Addressee Nos. 2 & 3 BY RPAD)**
- 4. The Secretary, The Visakhapatnam District Cooperative Government Employees Cooperative Society Ltd., No.M568, Visakhapatnam, Diamond Park, Visakhapatnam, Visakhapatnam District. (by RPAD- along with a copy of petition and memorandum of grounds)**

5. One CC to Sri. D KRISHNA MURTHY, Advocate [OPUC]
6. Two CCs to GP FOR SERVICES II, High Court Of Andhra Pradesh.
[OUT]
7. **One spare copy**
JSS

HIGH COURT

VN, J

DATED:11/08/2025

POST ON 15.09.2025.

NOTICE BEFORE ADMISSION

WP.No.21044 of 2025

STATUS QUO

