

[3460]

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

TUESDAY, THE 11TH DAY OF AUGUST 2026

:PRESENT:

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 22708 OF 2026



Between:

Sri Battini Srinivasa Rao, S/o. B.Tirupathaiah, aged about 60 years,
Occ: Chief Executive Officer, CEO, M/s. Gullapudi PACS No.KR 188,
Rio. Gullapudi (V), Gampalagudem (M), NTR District, Andhra Pradesh.-
521403

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. Gullapudi PACS, No.KR 188, rep. by its Chair-Person, 3-Men Committee, O/o. Gullapudi (V), Gampalagudem (M), NTR District, Andhra Pradesh.-521430

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 upto age of 62 years, even after 4th Respondent passed Resolution No.4 in General Body dated 30.09.2025 and giving letter dated 06.08.2026 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 the Petitioner, learned GP FOR COOPERATION for the Respondent Nos.1&2 and of Ms. V. HIMA BINDU, Standing Counsel for the Respondent No.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 Chair-Person, M/s. Gullapudi PACS, No.KR 188, 3-Men
Committee, O/o. Gullapudi (V), Gampalagudem (M), NTR District,
Andhra Pradesh.-521430

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 is filed praying that in the circumstances stated in the grounds filed in support of the petition, the

High Court may be pleased to direct the respondents to continue the services of the petitioner till he attains the age of 62 years in 4th Respondent, pending disposal of WP No. 22708 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. 1 and 2 and Learned Standing Counsel takes notice for Respondent No.3.

3) Issue notice to Respondent No.4.

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

5) The present Writ Petition is filed question 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 Respondent-authorities shall continue the Petitioner till he attains the age of 62 years pending further orders;

10) Post along with W.P.No. 16226 of 2026.

//TRUE COPY//

For

SD/- U.SRIDEVI
DEPUTY 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, 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. The Chair-Person, M/s. Gullapudi PACS, No.KR 188, 3-Men Committee, O/o. Gullapudi (V), Gampalagudem (M), NTR District, Andhra Pradesh.-521430 (Addressee Nos.2 to 4 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 COOPERATION, High Court Of Andhra Pradesh.
[OUT]
7. One CC to Ms. V. HIMA BINDU, STANDING COUNSEL [OPUC]
8. One spare copy

Kj

HIGH COURT

VN,J

DATED:11/08/2026

POST ALONG WITH W.P.NO.16226 OF 2026

NOTICE BEFORE ADMISSION

WP.No.22708 of 2026

INTERIM DIRECTION

