

APHC010423442026 (SHOW CAUSE NOTICE BEFORE ADMISSION)



IN THE HIGH COURT OF ANDHRA PRADESH

AT AMARAVATI

(Special Original Jurisdiction)

THURSDAY, THE 13th DAY OF AUGUST 2026

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 22977 OF 2026

Between:

Padala Nageswara Rao, S/o. Late Sri Bullabbayi Age 60 Years, Occ Ex-CEO
of Penuguduru PACS R/o. D.No.1-96, Gurajanapalli - 533 016 Karapa
Mandal, Kakinada District

...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 Cooperation and Registrar of, Co-operative
Societies-AP, Guntur - 522 001, Guntur District
3. The District Cooperative Officer, Kakinada - 533 005, Kakinada District
4. The District Cooperative Central Bank Ltd, Kakinada - 533 003, Rep. by
its CEO
5. The Penuguduru Primary Agricultural Cooperative Credit Society Ltd,
No.C-710, Penuguduru - 533 016 Karapa Mandal, Kakinada District
Rep. by its Chair Person, Three-Men 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 getting the Petitioner retired at the age of 60 years without

extending the benefit of enhancement of the age of superannuation from 60 to 62 years on par with the other Government employees as per G.O.Ms.No.15 Finance (HR.IV FR & LR) Department, dated 31.01.2022 and Section 115 - C 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 permit the Petitioner to work as Chief Executive Officer in the Respondent Society till he attains the age of 62 years consonance with G.O.Ms.No.15 Finance (HR.IV FR & LR) Department, 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 Petitioner, GP for Co-operation for the Respondent Nos.1 to 3, and of Sri Srinivasa Basava, Standing Counsel for the Respondent No.4, directed issue of notice to the Respondent No.5 herein to show cause as to why this WP should not be admitted

You viz:

The Chair Person, Three-Men Committee Penuguduru Primary Agricultural Cooperative Credit Society Ltd, No.C-710, Penuguduru - 533 016 Karapa Mandal, Kakinada 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 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 permit the Petitioner to work as Chief Executive Officer in the 5th 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 the present writ petition,

pending disposal of WRIT PETITION 22977 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 to 3.**
- 3. Learned Standing Counsel for Central Bank takes notice for the Respondent No.4.**
- 4. Issue Notice to the Respondent No.5.**
- 5. Learned counsel for the Petitioner is permitted to take out personal notice to the Respondent No.5 by registered post with acknowledgment due and file proof of service.**
- 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 Cooperative Society which did not pass any General Body or Executive Committee resolution as done in this case.

10. In that view, there shall be 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 W.P.No.16226 of 2026.

//TRUE COPY//

SD/- U.SRIDEVI
DEPUTY REGISTRAR
SECTION OFFICER

To,

1. The Prl. Secretary Co-operation Department, State of Andhra Pradesh, A.P. Secretariat, Velagapudi - 522 237, Guntur District
2. The Commissioner for Cooperation and Registrar of Co-operative Societies-AP, Guntur - 522 001, Guntur District
3. The District Cooperative Officer, Kakinada - 533 005, Kakinada District
4. The CEO, District Cooperative Central Bank Ltd, Kakinada - 533 003, (1 to 4 by SPAD)
5. The Chair Person, Three-Men Committee Penuguduru Primary Agricultural Cooperative Credit Society Ltd, No.C-710, Penuguduru - 533 016 Karapa Mandal, Kakinada District (by SPAD- along with a copy of petition and memorandum of grounds)
6. One CC to SRI. N SIVA REDDY, Advocate [OPUC]
7. Two CCs to GP FOR COOPERATION High Court of Andhra Pradesh [OUT]
8. One CC to SRI. SRINIVAS BASAVA, Standing Counsel [OPUC]
9. One spare copy

HIGH COURT

VN,J

DATED:13/08/2026

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

NOTICE BEFORE ADMISSION

WP NO. 22977 OF 2026

DIRECTION

