



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



THURSDAY, THE 20th DAY OF AUGUST 2026

PRESENT

**THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY
WRIT PETITION NO: 23925 OF 2026**

Between:

Sri Ch Nageswara Rao, S/o. Ch.Tatabbaayi, aged about 60 years, Occ Clerk,
M/s. Mudunuru LSCS No.784, R/o. H.No.3-15/D, Akuteegapadu (V), West
Godavari District, Andhra Pradesh.-534196

...Petitioner

AND

1. The State of Andhra Pradesh, rep. by its Principal Secretary,
Agriculture and Co-operation Department, Secretariat, Amaravathi,
Andhra Pradesh.-522239
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 vari Street, R.R.Pet, Eluru,
Eluru/West Godavari District, A.P.-534006
4. M/s Mudunuru LSCS Ltd No 784, rep. by its Chair-Person/In-Charge,
Mudunuru Village, Pentapadu Mandal, West Godavari District, Andhra
Pradesh.-53419

...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

gpr AR

Respondent passed Resolution No.374A in General Body dated 30.09.2022 and issuing letter 14.08.2026 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 of GP FOR COOPERATION, for the Respondent Nos.1 & 2, and of SRI S.VIJAY KUMAR, Standing Counsel for the 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:

M/s Mudunuru LSCS Ltd No 784, rep. by its Chair-Person/In-Charge, Mudunuru Village, Pentapadu Mandal, West Godavari District, Andhra Pradesh.-53419

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/memorandum of grounds 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 WRIT PETITION 23925 of 2026, on the file of the High Court

✓
gpr AR

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.

3. Learned Standing Counsel for Central Bank takes notice for the Respondent No.3.

4. Issue Notice to the Respondent No.4.

5. Learned counsel for the Petitioner is permitted to take out personal notice to the Respondent No.4 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 Petitioners 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 Petitioners 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

✓
G. S. AR

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 Petitioners till they attain the age of 62 years pending further orders.

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

//TRUE COPY//

SD/- Y.SRINIVASU
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Principal Secretary, Agriculture and Co-operation Department, State of Andhra Pradesh, Secretariat, Amaravathi, Andhra Pradesh.-522239 (by Special Messenger)
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.), 0/o. Panuganti vari Street, R.R.Pet, Eluru, Eluru/West Godavari District, A.P.-534006 (Addressees 2 & 3 by RPAD)
4. M/s Mudunuru LSCS Ltd No 784, rep. by its Chair-Person/In-Charge, Mudunuru Village, Pentapadu Mandal, West Godavari District, Andhra Pradesh.-53419 (by RPAD- 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 SRI S.VIJAY KUMAR, Standing Counsel [OPUC]
8. One spare copy

HIGH COURT

VN,J

DATED:20/08/2026

NOTE: Post this case along with W.P.No.16226 of 2026.

NOTICE BEFORE ADMISSION

WP NO. 23925 OF 2026

INTERIM DIRECTION

