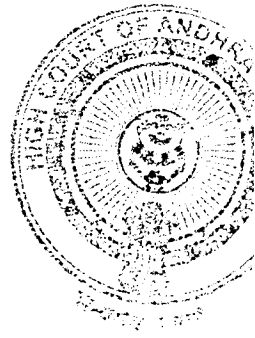


**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(Special Original Jurisdiction)**

**WEDNESDAY, THE TWENTY FOURTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY ONE**

:PRESENT:

**THE HONOURABLE SRI JUSTICE NINALA JAYASURYA
WRIT PETITION NO: 26994 OF 2021**



Between:

Sri. Gode Sudhakara Rao, S/o. Late G.Sriramulu, aged about 62 years, Occ-
Retd. Chief Executive Officer, CEO/Secretary., Arayapuram Urban Bank,
R/o.D.No.4-7/54, Block-D1, Midhilapuri VUDA Colony, Near Apollo Pharmacy,
Madhurawada, Visakhapatnam, Andhra Pradesh-530041.

.... Petitioner/s

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Agriculture and Co-operative Department, Secretariat, Amaravathi, Andhra Pradesh.
2. The Commissioner, for Cooperation- Registrar of Cooperative Societies, Co-operation Department, O/o. Sky Lark Towers, D.No.2-16-83, 11th Line, Syamala Nagar, Guntur, Andhra Pradesh.
3. The District Co-operative officer, East Godavari District, Kakinada, Andhra Pradesh.
4. The Deputy Registrar/Divisional Co-operative officer, Rajamahendravaram, East Godavari District, Andhra Pradesh.
5. The 51 Enquiry Officer/ District Cooperative Audit Officer, East Godavari District, Kakinada, Andhra Pradesh.
6. M/s.Aryapuram Co-operative Urban Bank Ltd., No.3127, Rajamahendravaram, rep. by its Chief Executive Officer, (CEO), Rajamahendravaram, East Godavari District, Andhra Pradesh.

.... Respondents

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 be to issue an appropriate Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the Enquiry Report vide Rc.No.1219/2019-A, dated 26.02.2021 under Section 51 of Andhra Pradesh Co-Operative Societies Act, 1964 submitted by the 5th Respondent and the proceedings issued by the 3rd Respondent vide proceedings Rc.No.1886/2016-H, dated 12.03.2021 by declaring the said proceedings as illegal, arbitrary and without any authority of law, contrary to the procedure contemplated under the Act, contrary to the principles of natural justice, violative of Fundamental Rights guaranteed under Article 14 of the Constitution of India and contrary to provisions and procedure contemplated under the A.P. Cooperative Societies Act, 1964 and Rules made therein and consequently to set aside the same as arbitrary, null and void with costs.

IA NO: 1 OF 2021

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay all further proceedings issued by the 3rd Respondent vide Rc.No.1886/2016-H, dated 12.03.2021 as against the petitioner herein, Pending disposal of WP 26994 of 2021, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri Srinivas Basava Advocate for the Petitioner and of GP for Cooperation for the Respondent Nos.1 to 5, the Court made the following.

ORDER:

"Heard the learned counsel for the Petitioner and learned Assistant Government Pleader for Respondent Nos. 1 to 5.

Learned counsel for the petitioner is permitted to take out personal notice to Respondent Nos.6 by RPAD and file proof of service into Registry within a period of two (02) weeks.

In view of the submissions made by the learned counsel for the petitioner and perusing the order dated 11.08.2021 passed in W.P.No.15700 of 2021, wherein the enquiry report dated 26.02.2021 is under challenge and interim orders were granted, there shall a similar interim order restraining the respondents from taking any civil or criminal action against the petitioner till further orders.

List this matter along with W.P.No.15700 of 2021 after three (03) weeks."

**Sd/-M.Suryanadha Reddy
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To

1. The Principal Secretary, Agriculture and Co-operative Department, State of Andhra Pradesh, Secretariat, Amaravathi, Andhra Pradesh.
2. The Commissioner, for Cooperation- Registrar of Cooperative Societies, Co-operation Department, O/o. Sky Lark Towers, D.No.2-16-83, 11th Line, Syamala Nagar, Guntur, Andhra Pradesh.
3. The District Co-operative officer, East Godavari District, Kakinada, Andhra Pradesh.
4. The Deputy Registrar/Divisional Co-operative officer, Rajamahendravaram, East Godavari District, Andhra Pradesh.
5. The 51 Enquiry Officer/ District Cooperative Audit Officer, East Godavari District, Kakinada, Andhra Pradesh.
6. The Chief Executive Officer, M/s.Aryapuram Co-operative Urban Bank Ltd., No.3127, Rajamahendravaram, (CEO), Rajamahendravaram, East Godavari District, Andhra Pradesh(1 to 6 by RPAD)
7. One CC to Sri. Srinivas Basava Advocate [OPUC]
8. Two CCs to GP for Cooperation, High Court Of Andhra Pradesh. [OUT]
9. One spare copy

pr

HIGH COURT

NJSJ

DATED:24/11/2021

**LIST THIS MATTER ALONG WITH W.P.NO.15700 OF 2021
AFTER THREE (03) WEEKS.**

ORDER

WP.No.26994 of 2021

DIRECTION

