

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

THURSDAY, THE EIGHTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY FIVE



:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

WRIT PETITION NO: 24382 OF 2025

Between:

Mandala Venkata Siva Rama Koti Reddy, S/o. Sanji Reddy aged about 58 years, Occ: Chief Manager, GDCC Bank, R/o. H.No.1-22, Sai Sadan, Nudurupadu, Phirangipuram Mandal, Guntur District.

...Petitioner

AND

1. The State of Andhra Pradesh, rep. by its Principal Secretary, Agriculture and Cooperation Department, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
2. The Registrar of Co-operative Societies, Skylark Towers, near D.No. 2/16/83, 11th Line Syamala Nagar, Guntur, Guntur District.
3. The District Co-operative Officer, Guntur, Guntur District.
4. The Deputy Registrar of Cooperative Societies/ Divisional Cooperative Officer, Guntur, Guntur District- Surcharge Enquiry Officer of Phiranghipuram Primary Agricultural Cooperative Society Ltd., Phiranghipuram.
5. J.Saraswathi, Assistant Registrar, O/o Sub-Divisional Cooperative Officer, Sattenapalli, Inquiry Officer U/s. 51 of ARCS Act 1964, Phiranghipuram PACS.
6. Phiranghipuram Primary Agricultural Cooperative Society Ltd., Phiranghipuram, represented by the Chief Executive Officer, Guntur Rural Mandal, Guntur District.

...Respondents

WHEREAS the Petitioner above named through his Advocate Sri Prabhunath Vasireddy, presented this Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ or order or direction particularly one in the nature of Writ of Mandamus declaring the surcharge order in Rc.NO.872/2023-C, dated 06-06-2025 passed by the respondent No.4 under section 60 of AP Cooperative Societies Act, 1964 against the petitioner for recovery of an amount of Rs.1,21,53,618/- with interest thereon @18% per annum along with others jointly and severally with effect from 01-04-2022 till the date of realization and the notice issued by the 6th respondent under section 60 of the A.P.C.S. Act, 1964 as illegal, without Jurisdiction or power or authority, in flagrant violation of the principles of natural justice, contrary to the provisions of Section 60 of Andhra Pradesh Cooperative Societies Act, 1964, biased and in violation of Articles 14 and 21 of the Constitution of India, consequently set aside the surcharge order passed by the respondent No.4 against the petitioner in Rc.No.872/2023-C, dated 06-06-2025 and the notice issued by the respondent No.6 under section 70 of the A.P.C.S Act, 1976;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri Prabhunath Vasireddy, Advocate for the Petitioner and of GP for Cooperation for Respondent Nos. 1 to 4 and 6, directed issue of notice to the Respondent No.5 herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

J.Saraswathi, Assistant Registrar, O/o Sub-Divisional Cooperative Officer, Sattenapalli, Inquiry Officer U/s. 51 of ARCS Act 1964, Phiranghipuram PACS.

be and hereby are directed to show cause, either appearing in person or through 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 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 stay of all further proceeding in pursuance to the impugned surcharge order passed by the respondent No.4 against the petitioner in Rc.No.872/2023-C dated 06-06-2025, during the pendency of the writ petition, pending disposal of WP No. 24382 of 2025, on the file of the High Court.

THE COURT MADE THE FOLLOWING ORDER:

“Learned Assistant Government Pleader for Cooperation takes notice for respondent Nos.1 to 4 and 6 and seeks time to get instructions.

Issue notice to respondent No.5.

Learned counsel for the petitioner is permitted to take out personal notice to respondent No.5 by registered post with acknowledgment due and file proof of service before the Registry within a period of three (3) weeks.

In the meantime, there shall be interim stay of all further proceedings pursuant to the impugned surcharge order passed by respondent No.4 against the petitioner in Rc.No.872/2023-C, dated 06.06.2025, for a period of six (6) weeks.

List the matter after Dussehra Vacation, 2025 along with connected WP No.23751 of 2025.”

//TRUE COPY//

SD/- K. KASIRAO ACHARI
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Principal Secretary, Agriculture and Cooperation Department, State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
2. The Registrar of Co-operative Societies, Skylark Towers, near D.No. 2/16/83, 11th Line Syamala Nagar, Guntur, Guntur District.
3. The District Co-operative Officer, Guntur, Guntur District.
4. The Deputy Registrar of Cooperative Societies/ Divisional Cooperative Officer, Guntur, Guntur District- Surcharge Enquiry Officer of Phiranghipuram Primary Agricultural Cooperative Society Ltd., Phiranghipuram.
5. J.Saraswathi, Assistant Registrar, O/o Sub-Divisional Cooperative Officer, Sattenapalli, Inquiry Officer U/s. 51 of ARCS Act 1964, Phiranghipuram PACS. (by RPAD- along with a copy of petition and affidavit)
6. Phiranghipuram Primary Agricultural Cooperative Society Ltd., Phiranghipuram, represented by the Chief Executive Officer, Guntur Rural Mandal, Guntur District.(Addressee Nos. 1 to 4, 6 by RPAD)
7. One CC to Sri Prabhu Nath Vasireddy, Advocate [OPUC]
8. Two CCs to GP FOR COOPERATION, High Court of Andhra Pradesh. [OUT]
9. One spare copy.

PSD

HIGH COURT

SRK,J

DATE:18/09/2025

**NOTE: LIST THE MATTER AFTER DUSSEHRA VACATION, 2025
ALONG WITH CONNECTED W.P.NO.23751 OF 2025.**

NOTICE BEFORE ADMISSION

WP.No.24382 of 2025

INTERIM STAY

