

**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

**FRIDAY, THE TWENTY THIRD DAY OF JANUARY,
TWO THOUSAND AND TWENTY SIX**

:PRESENT:

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 26773 & 26796 OF 2025

WP.No.26773 OF 2025:

Between:

Goddeti Venkata Durga Rao, S/o. G Srinivasa Rao, Male, Aged about 32 years, Occ- Asst. Manager, R/o. D. No. 3-15, Prathipadu Village, Prathipadu Mandal, Guntur District

Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary Agriculture and Co-operation Department Secretariat Buildings, Velagapudi, Amaravati, Guntur District
2. The Registrar of Cooperative Societies, D. No. 2/16/83, Skylark Towers, 11th Lane, Syamala Nagar, Guntur Guntur District
3. The District Co-operative Officer, Guntur District
4. The Deputy Registrar of Co-operative Societies, And the District Co-operative Audit Officer Cum Surcharge Authority of Gorantla PACS
5. The Assistant Registrar, O/o. Sub-Divisional Co-operative Officer Cum Inquiry Officer of Gorantla PACS
6. The Gorantla Primary Agricultural Cooperative Society Ltd, Gorantla, Rep. by its Chief Executive Officer

Respondents

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, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the impugned Surcharge Order in

Rc. No. 971/2023-B Dt. 07.08.2025 passed by the 4th Respondent against the Petitioner for recovery of an amount of Rs. 45,01,278/- with interest thereon @18% per annum with effect from 01.04.2022 till the date of realization from the Petitioner herein under section 60 of Andhra Pradesh Co operative Societies Act, 1964 as illegal, arbitrary, without jurisdiction, 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 Article 14 of the Constitution of India, consequently set aside the impugned Surcharge Order in Rc. No. 971/2023-B Dt. 07.08.2025.

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 all further proceedings pursuant to impugned Surcharge Order in Rc.No. 971/2023-B Dt. 07.08.2025 passed by the 4th Respondent against the Petitioner, Pending disposal of WP 26773 of 2025, 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 the order of the High Court order dated 26.09.20225 & 21/11/2025 made herein and upon hearing the arguments of Sri Peddibhotla Venkata Sai Rajesh, Advocate for the Petitioner, GP for Cooperation for the Respondent No.1;

WP NO: 26796 OF 2025:

Between:

Goddeti Srinivasa Rao, S/o. G Venkateswarlu, Male, Aged about 53 years,
Occ: Manager R/o. D. No. 2-163/A, Prathipadu Village Prathipadu Mandal,
Guntur District

Petitioners

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary Agriculture and Co-operation Department Secretariat Buildings, Velagapudi, Amaravati, Guntur District

2. The Registrar of Cooperative Societies, D. No. 2/16/83, Skylark Towers, 11th Lane, Syamala Nagar, Guntur Guntur District
3. The District Co-operative Officer, Guntur District
4. The Deputy Registrar of Co-operative Societies, Tenali, Cum Surcharge Authority
5. The Divisional Co-operative Officer, Guntur Cum Enquiry Officer
6. The Injanampadu PACS Ltd, Injanampadu, Guntur District Rep. by its Chief Executive Officer
7. The Chinakondmpadu PACS Ltd, Chinakondmpadu, Guntur District, Rep. by its Chief Executive Officer

Respondents

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, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the impugned Surcharge Order in Surcharge Case No. 478/2024-C Dt. 03.07.2025 passed by the 4th Respondent against the Petitioner for recovery of an amount of Rs.28,56,827/- with interest thereon @18% per annum with effect from 01.04.2022 till the date of realization from the Petitioner herein under section 60 of Andhra Pradesh. Co-operative Societies Act, 1964 as illegal, arbitrary. without jurisdiction, 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 inviolation of Article 14 of the Constitution of India, consequently set aside the impugned Surcharge Order in Surcharge Case No. 478/2024-C Dt. 03.07.2025.

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 all further proceedings pursuant to impugned Surcharge Order in Surcharge Case No. 478/2024-C Dt. 03.07.2025 passed by the 4th

Respondent against the Petitioner, Pending disposal of WP 26796 of 2025, 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 the order of the High Court order dated 26.09.2025 made herein and upon hearing the arguments of Sri Peddibhotla Venkata Sai Rajesh, Advocate for the Petitioner, GP for Cooperation for the Respondent Nos.1 to 5, the Court made the following;

COMMON ORDER:

At request, post on 5/2/2026.

Interim order granted earlier is extended till 5/02/2026.

**Sd/- K.V.Raghavulu
ASSISTANT REGISTRAR**

//TRUE COPY//


SECTION OFFICER

To,

1. One CC to Sri. Peddibhotla Venkata Sai Rajesh, Advocate [OPUC]
2. Two CCs to GP for Cooperation, High Court of Andhra Pradesh. [OUT]
3. One spare copy

HIGH COURT

VN,J

DATED: 23/01/2026

POST ON 05/02/2026

ORDER

WP.No.26773 & 26796 of 2025

INTERIM ORDER EXTENDED

