

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



WEDNESDAY, THE TWENTY SEVENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD
WRIT PETITION NO: 7603 OF 2024

Between:

C Venkatappa, S/o. Chinna Gangappa Age 60 years, Occ Chief Executive Officer
The Mudaram Doddi Primary Agricultural Cooperative Society Ltd., C.R.No.308,
Mudaram Doddi, V Kota Mandal, Chittoor District, A.P. R/o. Baisukuppam Village,
Pamuganipalli Post, V Kota Mandal, Chittoor District, Andhra Pradesh.

...Petitioner

AND

1. The State Of Andhra Pradesh, rep. by its Principal Secretary to Government, Agriculture and Cooperation Department, Secretariat, Velagapudi, Amaravati.
2. The Commissioner for Cooperation and Registrar of Cooperative Societies, Government of Andhra Pradesh, Shyamala Nagar, Guntur, Guntur District.
3. The District Cooperative Officer, Chittoor, Chittoor District
4. The Divisional Cooperative Officer, Chittoor, Chittoor District.
5. The Chittoor District Cooperative Central Bank Limited, Chittoor District at Chittoor, rep by it's Chief Executive Officer.
6. The Mudaram Doddi Primary Agricultural Cooperative Society Ltd., , C.R.No.308, Mudaram Doddi, V Kota Mandal, Chittoor District, A.P. rep by it's Person in-charge/Chairman

...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 to issue an appropriate Writ, order or direction, more particularly one in the nature of WRIT OF MANDAMUS, declaring the action of the respondents 3 to 5 in not allowing the petitioner to continue as Chief Executive Officer of the 6th respondent Cooperative Society till attaining 62 years age in spite of the resolution dated 04.03.2024 passed by the 6th respondent enhancing the age of superannuation up to the age of 62 years as illegal, arbitrary, and contrary to G.O.Ms. No 15 Finance (HR.IV-FR & LR) Department dated 31.03.2022 and as per G.O.Ms.No. 15 dated 04.02.2019, G.O.Ms.No. 36 dated 01.03.2019 apart from being violative of Article 14 of the Constitution of India and consequently direct the respondents to continue the petitioner in service till the petitioner attain the age of 62 years

IA NO: 1 OF 2024

Petition under Section 151 of 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 DIRECT the respondents to continue the services of the petitioner till the petitioner

attains the age of 62 years, Pending disposal of WP 7603 of 2024, 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 KAMBHAMPATI RAMESH BABU Advocate for the Petitioner, and of GP FOR COOPERATION, for the Respondent Nos.1 to 4, the Court made the following

ORDER:

Heard Sri Sk. Abdul Rasheed, Learned Counsel appearing on behalf of Sri Kambhampati Ramesh Babu, Learned Counsel for the Writ Petitioner and Sri P. Varaprasad, Learned Assistant Government Pleader for Cooperation appearing for Respondent Nos. 1 to 4.

2. Learned Counsel for the Writ Petitioner is directed to take out Personal Notice in respect of Respondent Nos.5 & 6 within one week from today and file proof of receipt of Notice within a week thereafter.

3. Learned Counsel for the Writ Petitioner has drawn the attention of this Court to an Interim Order passed by this Court in W. P. No 4781 of 2024, dated 23.02.2024 (Ex. P.8). Learned Counsel has also drawn the attention of this Court to a Resolution passed by the General Body of the Respondent No.6 dated 04.03.2024 (Ex P. 1).

4. Having considered the submissions and the relevant material, this Court deems it appropriate to extend the similar Order as in W.P.No.4781 of 2024.

5. Accordingly, there shall be a direction to the Respondent No.6 Society to continue the Writ Petitioner in service until he attains the age of 62 years or until further Orders of this Court.

6. Needless to state that the salary shall be paid to the Writ Petitioner from the funds of Respondent No.6 Society.

7. Tag and list this Writ Petition with W.P.No.4781 of 2024 on 26.04.2024.

SD/- K. SRINIVASA RAJU
ASSISTANT REGISTRAR

//TRUE COPY//

For /

SECTION OFFICER

To,

1. The Principal Secretary to Government, Agriculture and Cooperation Department, State of Andhra Pradesh Secretariat, Velagapudi, Amaravati.
2. The Commissioner for Cooperation and Registrar of Cooperative Societies, Government of Andhra Pradesh, Shyamala Nagar, Guntur, Guntur District.
3. The District Cooperative Officer, Chittoor, Chittoor District
4. The Divisional Cooperative Officer, Chittoor, Chittoor District.
5. The Chittoor District Cooperative Central Bank Limited, Chittoor District at Chittoor, rep by it's Chief Executive Officer.
6. The Person In-charge/Chairman, Mudaram Doddi Primary Agricultural Cooperative Society Ltd., C.R.No.308, Mudaram Doddi, V Kota Mandal, Chittoor District, A.P. **(Addressees 1 to 6 by RPAD)**
7. One CC to SRI. KAMBHAMPATI RAMESH BABU Advocate [OPUC]
8. Two CCs to GP FOR COOPERATION, High Court of Andhra Pradesh, [OUT]
9. One spare copy

PSR

HIGH COURT

GRKP,J

DATED:27/03/2024

NOTE: Tag and list this Writ Petition with W.P.No.4781 of 2024 on 26.04.2024.

ORDER

WP.No.7603 of 2024

INTERIM DIRECTION

