

**(SHOW CAUSE NOTICE BEFORE ADMISSION)**  
**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI**  
**(SPECIAL ORIGINAL JURISDICTION)**  
 WEDNESDAY, THE TWENTY EIGHTH DAY OF APRIL,  
 TWO THOUSAND AND TWENTY ONE

**:PRESENT:**

**THE HONOURABLE SMT JUSTICE KONGARA VIJAYA LAKSHMI**  
**WRIT PETITION NO: 8900 OF 2021**

**Between:**

D.Subramanyam, S/o. Raghava Raju, Age 58 years, Occ: Chief Executive Officer, The Kosalanagaram Primary Agriculture Cooperative Society Ltd.S.579 Vijayapuram, Vijayapuram Mandal, Chittoor District.

**...Petitioner**

**AND**

1. The State of Andhra Pradesh, Rep. by its Principal Secretary to Government, Agriculture & Cooperation Department, Andhra Pradesh Secretariat, Velagapudi, Amaravathi, Guntur District, Andhra Pradesh.
2. The Commissioner for Cooperation & Registrar of Cooperative Societies, Government of Andhra Pradesh, Vijayawada, Krishna District.
3. The District Cooperative Officer, Chittoor, Chittoor District.
4. The Divisional Cooperative Officer, Chittoor, Chittoor District.
5. The Kosalanagaram Primary Agriculture Cooperative Society, Ltd.S.579 Vijayapuram, Vijayapuram Mandal, Chittoor District. Rep by President/Person In-charge committee.

**...Respondents**

WHEREAS the Petitioner above named through his Advocate Sri L.V.S.NAGARAJU 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 issue an appropriate writ, Order or Direction more particularly one in the nature of writ of mandamus to declare the action of the 5<sup>th</sup> respondent in not extending the age of retirement from 58 years to 60 years as the petitioner is due to retire on 30-04-2021 as per the provisions of section 115-D (2)(iv) of the APCS Act and also as per Government Memo no. 5825 / Coop.III 2014-7 dated 23.05.2015 and G.O.Ms.No.15 dated 04.02.2019, G.O.Ms.No.36 dated 01.03.2019 and as per the resolution dated 19- 08-2020 of the Managing Committee and Resolution dated 30-09-2020 of the General Body of the 5<sup>th</sup> respondent Society as illegal, arbitrary, violative of Article 14 of the Constitution of India and consequently direct the respondents to rise the age of superannuation from 58 year to 60 years to the petitioner as per the provisions of section 115-D (2)(iv) of the APCS Act and also as per Government Memo no. 5825/Coop.III 2014-7 dated 23.05.2015 and G.O.Ms.No.15 dated 04.02.2019 and G.O.Ms.No.36 dated 01.03.2019 and as per the resolution dated 19-08-2020 of the Managing Committee and Resolution dated 30-09-2020 of the General Body of the 5<sup>th</sup> respondent Society and continue the petitioner till the petitioner attain the age of 60 years in the 5<sup>th</sup> respondent society and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri L.V.S.Nagaraju, Advocate for the Petitioner and GP for Cooperation for the Respondent Nos.1 to 4, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Principal Secretary to Government, Agriculture & Cooperation Department, Andhra Pradesh Secretariat, Velagapudi, Amaravathi, Guntur District, Andhra Pradesh.
2. The Commissioner for Cooperation & Registrar of Cooperative Societies, Government of Andhra Pradesh, Vijayawada, Krishna District.

3. The District Cooperative Officer, Chittoor, Chittoor District.
4. The Divisional Cooperative Officer, Chittoor, Chittoor District.
5. The President/Person In-charge committee, Kosalanagaram Primary Agriculture Cooperative Society, Ltd.S.579 Vijayapuram, Vijayapuram Mandal, Chittoor District.

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 filed therewith (copy enclosed) this WRIT PETITION should not be admitted, on or before 29-06-2021, on which date the case stands posted for hearing.

**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 direct the 5<sup>th</sup> respondent society to continue the service of the petitioner by raising the age of retirement of the petitioner from 58 years to 60 years as the petitioner is due to retire on 30-04-2021 duly taking into Consideration the G.O.Ms.No.15 Agriculture and Cooperation (Coop-III) Department dated 04-02-2019 and G.O.Ms.No.36 dated 01.03.2019 and as per the resolution dated 19-08-2020 of the Managing Committee and Resolution dated 30-09-2020 of the General Body of the 5<sup>th</sup> respondent Society, pending disposal of WP No. 8900 of 2021, on the file of the High Court.

**The Court made the following:  
ORDER:**

**"Notice before admission.**

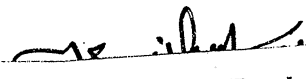
**Learned Govt. Pleader for Cooperation taken notice for respondents 1 to 4.**

**Learned counsel for the petitioner is permitted to take out personal notice to R5 by RPAD and file proof of service.**

**List the matter on 29.06.2021.**

**Till then, the 5<sup>th</sup> respondent is directed to continue the petitioner in service."**

**//TRUE COPY//**

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

**To,**

1. The Principal Secretary to Government, Agriculture & Cooperation Department, Andhra Pradesh Secretariat, Velagapudi, Amaravathi, Guntur District, Andhra Pradesh.
2. The Commissioner for Cooperation & Registrar of Cooperative Societies, Government of Andhra Pradesh, Vijayawada, Krishna District.
3. The District Cooperative Officer, Chittoor, Chittoor District.
4. The Divisional Cooperative Officer, Chittoor, Chittoor District.
5. The President/Person In-charge committee, Kosalanagaram Primary Agriculture Cooperative Society, Ltd.S.579 Vijayapuram, Vijayapuram Mandal, Chittoor District. (Addresses 1 to 5 by RPAD- along with a copy of petition and affidavit)
6. One CC to Sri. L.V.S.Nagaraju, Advocate [OPUC]
7. Two CCs to GP for Cooperation, High Court of AP [OUT]
8. One spare copy

**MM**



**HIGH COURT**

**KVLJ**

**DATED:28/04/2021**

**NOTE: LIST THE MATTER ON 29.06.2021**

**NOTICE BEFORE ADMISSION**

**WP.No.8900 of 2021**

**INTERIM DIRECTION**

