

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



MONDAY, THE TWENTY FOURTH DAY OF JULY
TWO THOUSAND AND TWENTY THREE

:PRESENT:

**THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI
WRIT PETITION NO: 18271 OF 2023**

Between:

1. Ravipati Nehru Babu, S/o.Venkata Swamy, aged about 59 years, Occ: Agriculture, R/o. Palaparru Village, Pedanandipadu Mandal, Guntur District.
2. Jagarlmudi Venkateswarlu, S/o. Bala Koti, aged about 48 years, Occ: Agriculture, R/o. Paritalavaripalem Village, Pedanandipadu Mandal, Guntur District.
3. Pasam Kannaiah, S/o. Nageswara Rao, aged about 59 years, Occ: Agriculture, R/o. Pusuluru Village, Pedanandipadu Mandal, Guntur District.

... Petitioners

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 Deputy Registrar of Co-operative Societies, Guntur, Guntur District.
4. The District Co-operative Officer, Guntur, Guntur District.
5. The Divisional Cooperative Officer, Guntur, Guntur District.
6. The Guntur District Coperative Central Bank Ltd, Guntur, Guntur District rep. by its Chief Executive Officer.
7. D.Vasu Babu, (51 Inquiry Officer) Assistant Registrar ,O/o.Sub Divisional Cooperative Officer, Guntur, Guntur District.
8. The Pedanandipadu Primary Agriculral Cooperatiive Society Ltd, Pedanandipadu, Pedanandipadu Mandal, Guntur District rep.by its person in charge.

... Respondents

WHEREAS the Petitioners above named through their Advocate Sri Prabhu Nath Vasireddy, 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 a Writ or order or direction more particularly one in the nature of writ of mandamus declaring the orders passed by the respondent No.4 in Rc.No.705/2022-C dated 23-05-2023, authorising the respondent No.5 for conduct of surcharge against the petitioners for recovery of the amount of Rs.25,86,412/- along with interest, to initiate conditional attachment of the properties of the petitioners under section 73 of the A.P.C.S Act, 1964 and to submit the proposals for sanction of prosecution against the petitioners as recommended by the Section 51 Inquiry Officer in his report under section 83(3) of the A.P. Cooperative Societies Act,1964

as arbitrary, illegal, contrary to the provisions of the Andhra Pradesh Cooperative Societies Act, 1964 and in violation of Articles 14 and 300-A of the Constitution of India, consequently set aside the order passed by the respondent No.4 in Rc.No.705/2022-C dated 23-05-2023 ;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri Prabhu Nath Vasireddy, Advocate for the Petitioner, learned GP FOR AGRL., & COOPERATION for respondent Nos.1 to 5 and Sri SK.N. Vijaya Lakshmi, Standing Counsel for respondent No.6, 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, State of Andhra Pradesh, 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 Deputy Registrar of Co-operative Societies, Guntur, Guntur District.
4. The District Co-operative Officer, Guntur, Guntur District.
5. The Divisional Cooperative Officer, Guntur, Guntur District.
6. The Chief Executive Officer, The Guntur District Cooperative Central Bank Ltd, Guntur, Guntur District.
7. D.Vasu Babu, (51 Inquiry Officer) Assistant Registrar ,O/o.Sub Divisional Cooperative Officer, Guntur, Guntur District.
8. Rep.by its person in charge The Pedanandipadu Primary Agriculral Cooperatiive Society Ltd, Pedanandipadu, Pedanandipadu Mandal, Guntur 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 26.07.2023, on which date the case stands posted for hearing.

The Court made the following ORDER:

"Notice before admission.

Learned Government Pleader for Agriculture & Cooperation, takes notice for R1 to R5.

Sri SK.N. Vijaya Lakshmi, learned Standing Counsel for Central Cooperative Bank, takes notice for R6.

Learned counsel for the petitioners is permitted to take out personal notice on R7 & R8 through RPAD and file proof of service in the Registry.

For instructions, post on 26.07.2023, in the motion list."

Sd/- K. KASIRAO ACHARI
ASSISTANT REGISTRAR

//TRUE COPY//

For

SECTION OFFICER

To,

1. The Principal Secretary, State of Andhra Pradesh, 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 Deputy Registrar of Co-operative Societies, Guntur, Guntur District.
4. The District Co-operative Officer, Guntur, Guntur District.
5. The Divisional Cooperative Officer, Guntur, Guntur District.
6. The Chief Executive Officer, The Guntur District Cooperative Central Bank Ltd, Guntur, Guntur District.
7. D.Vasu Babu, (51 Inquiry Officer) Assistant Registrar ,O/o.Sub Divisional Cooperative Officer, Guntur, Guntur District.
8. Rep.by its person in charge The Pedanandipadu Primary Agriculral Cooperatiive Society Ltd, Pedanandipadu, Pedanandipadu Mandal, Guntur District. (Addressees Nos.1 to 8 by RPAD- along with a copy of petition and affidavit)
9. One CC to SRI. PRABHU NATH VASIREDDY Advocate [OPUC]
10. Sri SK. N. Viajya Lakshmi, Standing Counsel [OPUC]
11. Two CCs to GP FOR AGRICULTURE, High Court Of Andhra Pradesh. [OUT]
12. One spare copy

KJ

HIGH COURT

RCJ

DATED:24/07/2023

POST ON 26.07.2023, IN THE MOTION LIST

NOTICE BEFORE ADMISSION

WP.No.18271 of 2023

