

**THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO**

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**WRIT PETITION No.25210 of 2015**

**ORDER:**

Heard the learned counsel for petitioner and the learned Government Pleader for respondents.

2. The petitioner claims to be the absolute owner and possessor of agricultural land admeasuring Ac.2-16 guntas out of Ac.26-07 guntas in survey No.92 of Kalugotla Village, Manopad Mandal, Mahaboobnagar District, having purchased the same under a registered sale deed dated 10.02.2005 and his name was also mutated in the revenue records. While so, a notice dated 11.06.2015 was issued attaching the property of the petitioner along with other properties for payment of Rs.7,34,251/- on or before 25.06.2015. After receipt of the said notice, the petitioner went to the third respondent and came to know that an extent of Ac.26-07 guntas of land in survey Nos.202, 19/A, 243/A and 92, situated at Kalugotla Village were mortgaged with the third respondent by one A.Pandu Ranga Swamy on 28.07.1992, who is the original pattadar. The sale deed was executed by one Smt.Hussainamma, W/o. Venkata Swamy, who is the mother of A.Pandu Ranga Swamy.

3. Be that as it may, when the auction notice was issued by the fourth respondent, the petitioner filed a petition before the fourth respondent on 14.08.2015 under Rule 52 (21) read with Sub-rule 16 of the A.P. Cooperative Societies Rules, 1964 in E.P.No.25/2011-12 in Order No.88/2010-11. The learned counsel for the petitioner submits that the auction notice was issued in respect of the order passed in Order No.88/2010-11 only.

4. In the facts and circumstances of the case, this Court feels it just and proper to direct the fourth respondent to consider the application filed by the petitioner on 14.08.2015 claiming right over the property and dispose of the same in accordance with law before the property is put to

sale on 09.09.2015.

5. The Writ Petition is, accordingly, disposed of. No order as to costs. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

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**A.RAMALINGESWARA RAO, J**

Date: 21.08.2015

Note: Issue CC by 24.08.2015.

B/o. TJMR