

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.28321 of 2011

Date:02.06.2015

Between:

C.Venkatalakshmi,

W/o C.Peddanna

..... Petitioner

And:

The Deputy Registrar/Regional Manager,

A.P. Co-Operative Housing Societies Federation

Limited, Kadapa and three others.

.....Respondents

Counsel for the Petitioner: Sri S.V.Ramana

For Sri O.Manohar Reddy

Counsel for Respondent Nos.1 & 2: GP for Co-Operation (AP)

The Court made the following:

ORDER:

This Writ Petition is filed for a *Mandamus* to declare the action of respondent No.1 in not considering the petitioner's claim petition, dated 07.10.2011 and in seeking to proceed with the sale of the property mentioned in Form-9, dated 16.09.2011, issued by respondent No.1 as illegal and arbitrary.

A perusal of the said Form-9 shows that the property was proposed to be auctioned on 19.10.2011. Though the Writ Petition was filed on 18.10.2011, no interim order has been granted.

Learned counsel for the parties are unable to state whether the property was already auctioned or not.

In the absence of any interim order, it is reasonable to presume that the property would have already been auctioned. Even if the property was not auctioned, the grievance of the petitioner with which the Writ Petition is filed ceases to exist. Thus, either way, the Writ Petition has become infructuous. If the property is not already sold and the claim petition of the petitioner is not considered by respondent No.1 till now, the latter is directed to consider the same and pass appropriate orders.

Subject to the above direction, the Writ Petition is disposed of.

As a sequel to disposal of the Writ Petition, WPMP.No.34965 of 2011 is disposed of as infructuous.

JUSTICE C.V.NAGARJUNA REDDY

2nd June, 2015

DR