

HON'BLE SRI JUSTICE R.SUBHASH REDDY
AND
HON'BLE SRI JUSTICE A.SHANKAR NARAYANA

WRIT PETITION No.15347 of 2015

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ORDER : (per Hon'ble Sri Justice R.Subhash Reddy)

This writ petition is filed by the petitioners, who claim to be the farmers and residents of different villages of Kakumanu Mandal, Guntur District, seeking *Mandamus* declaring the action of respondent Nos.1 and 2 in taking steps to recover the loan amount from the 3rd respondent-Godown without allowing the petitioners to remove the stocks stored in the godown, as arbitrary and illegal.

2. It is stated that the petitioners are agriculturists and they have obtained crop loans and gold loans. After harvesting the crops, they stored the agricultural produce in the 3rd respondent godown. It is stated that the 3rd respondent-godown appear to have obtained loan by showing the foodgrains stored by the petitioners in the godown. The grievance of the petitioners is that the 2nd respondent-Bank is taking steps to recover the loan amount without removal of their agricultural produce stored in the 3rd respondent godown.

3. When the matter came up for hearing on 3.6.2015, it was adjourned to enable Sri B.S. Prasad, learned Standing Counsel for the 2nd respondent-Bank to get instructions.

4 .Today, on instructions, the learned Standing Counsel submits that the 2nd respondent-Bank has no claim on the paddy stored by the petitioners in the 3rd respondent-godown and such

stock is not pledged with the 2nd respondent-Bank and hence they are not taking any steps preventing the petitioners from removing their stock stored in the 3rd respondent-godown.

5. In view of the submission made by the learned Standing Counsel for 2nd respondent-Bank, we deem it appropriate to dispose of the writ petition permitting the petitioners to remove the stock stored in the 3rd respondent-godown and sell such stock to the third parties.

6. Subject to the above direction, this writ petition is disposed of, at the admission stage. As a sequel, miscellaneous petitions pending, if any, shall stand closed. No order as to costs.

JUSTICE R. SUBHASH REDDY

JUSTICE A.SHANKAR NARAYANA

08.06.2015.

Msr

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