

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

A.S.M.P.No.1444 of 2015

And

A.S.No.18 of 2003

Between:

Kinthada Subrahmanyam

---Petitioner/Appellant

And

Goli Leela Kumari and another

---Respondents/Respondents

DATE OF JUDGMENT PRONOUNCED: 04-08-2015

SUBMITTED FOR APPROVAL:

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THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

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| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgments? | Yes/No |
| 2. Whether the copies of Judgment may be
marked to Law Reporters/Journals | Yes/No |
| 3. Whether Their Ladyship/Lordship wish
to see the fair copy of the Judgment? | Yes/No |

HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

A.S.M.P.No.1444 of 2015

And

A.S.No.18 of 2003

COMMON JUDGMENT:

A.S.M.P.No.1444 of 2015 is filed the petitioner/appellant seeking permission to redeem the mortgage by payment of amount due under preliminary decree dated 28-10-2002 and to record full satisfaction of the debt and return Exs.A-1 to A-3, alleging that the respondent No.1 obtained preliminary decree based on mortgage and the trial Court passed a decree granting interest @ 24% per annum from the date of the suit till the date of redemption and subsequent interest @ 6% per annum till the date of realization. On calculation the total comes to Rs.2,96,000/-.

Today, the counsel for the petitioner handed over a cheque bearing No.355515, dated 14-07-2015 drawn on State Bank of India, Uppal Branch, Hyderabad for Rs.2,97,000/- and on receipt of the same is acknowledged by the counsel for the respondent No.1.

Sri N.Vijay, learned counsel for respondent No.1 reported no objection, since, the amount covered by the cheque is equivalent amount of due under the mortgage.

In view of no objection reported by learned counsel for respondent No.1, petition is ordered permitting the petitioner to redeem the mortgage by paying entire amount by way of cheque.

In view of redeeming the mortgage by the appellant/defendant No.1 in the suit as per the order in MP, the appeal has become infructuous.

The Registry is directed to send the entire record to the lower Court and on receipt of the record, the trial Court is directed to return Exs.A-1 to A-3 under proper acknowledgment.

Accordingly, the Appeal is closed after recording full satisfaction of the decree. In consequence, Miscellaneous Petitions, if any, pending in this Appeal shall stand closed.

M. SATYANARAYANA MURTHY, J

04-08-2015

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