

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION NO.11325 of 2016

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Between:

Putta Surya prakasa Rao

PETITIONER

AND

1. The State of Andhra Pradesh, rep. by its Principal Secretary,
Agriculture, & Cooperation Department, Secretariat, Hyderabad,
and others.

RESPONDENTS

ORDER:

The auction proceedings issued by the 2nd respondent in E.P.No.1349/OSD/15-16, dated 11.02.2016 proposing to sell the agricultural land belonging to the petitioner admeasuring Ac.4.76 cents in Survey No.36/2 of Madicherla Village, Bapulapadu Mandal, Krishna District is under challenge in this writ petition.

The case of the petitioner is that he has availed agricultural term loan from the 4th respondent society on annual installments, and had paid the installments for some time. Thereafter, due to prevailing draught conditions in the area, he could not pay the installments regularly. While so, he came to know that a sale notification has been pasted in the notice board of Tahsildar with regard to sale of his property. Immediately, the petitioner approached the Tahsildar and came to know that the 2nd respondent sent the said notice on behalf of the 4th respondent under the guise of the award obtained by him in the Execution Proceedings. The grievance of the petitioner is that he has not received any notice in the proceedings before the Arbitrator and it is an ex parte order. Challenging the same, the petitioner filed the present writ petition.

Heard learned counsel for the petitioner, learned Government pleader for respondents 1 and 3 and Sri V. Kishor Babu, learned Standing Counsel appearing for respondent No.2.

Even as per the petitioner the auction, which was scheduled to be conducted on 04.04.2016, has not been conducted and no fresh date of auction has been fixed.

In that view of the matter, I deem it appropriate to direct the respondents the auction, if any, to be held shall be strictly in conformity with Rule 52 of the Andhra Pradesh Cooperative Societies Rules.

With the above direction, the writ petition is disposed of. As a sequel, miscellaneous petitions, if any, shall stand closed. No order as to costs.

CHALLA KODANDA RAM, J.

6th April, 2016
Js.