

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

AND

THE HON'BLE DR JUSTICE SHAMEEM AKTHER

Writ Petition No.2840 of 2017

ORDER: {Per the Hon'ble the Acting Chief Justice Ramesh Ranganathan}

The action of the 1st respondent, in issuing an auction notification on 11.01.2017 for an auction to be held on 27.01.2017 against the 2nd respondent's property, is questioned in this writ petition as being illegal, arbitrary and contrary to the provisions of the A.P.Revenue Recovery Act, 1864.

Sri A.Krishnam Raju, learned counsel for the 1st respondent, would submit that the auction held on 27.01.2017 was unsuccessful; as the 1st respondent did not receive any bids, the auction was cancelled; the 1st respondent would be taking steps to issue a notification afresh for conducting an auction; and, as the challenge in the writ petition is to the auction held on 27.01.2017, and the auction held on 27.01.2017 was unsuccessful, the cause in the writ petition does not survive necessitating any further adjudication by this Court.

Sri A.Jagan, learned counsel for the petitioner, would request this Court to leave the questions of law, raised in this writ petition, open for consideration in subsequent proceedings, if any, to be instituted by the petitioner, as and when the 1st respondent issues a notice afresh for conducting an auction.

Leaving the questions of law raised in this writ petition open to be canvassed in subsequent legal proceedings, if any, which the petitioner may choose to institute, the Writ Petition is dismissed as infructuous. The miscellaneous petitions pending, if any, shall also stand dismissed. There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

(DR. SHAMEEM AKTHER, J)

16th February, 2017
JSU

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Date: 16.02.2017

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