

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.36295 OF 2018

DATED :25.10.2018

Between :

Bheema Naga Nikhil, S/o.Bheema Sudhakar Shetty,
Aged about 26 yrs, Occu : Business,
R/o.11-15-141/1, J.B.Colony, Near Hanuman Temple,
Saroornagar, Hyderabad, T.S.-500 035

.. Petitioner

And

Assistant General Manager/Branch Manager,
Andhra Pradesh State Food Corporation (A.P.S.F.C.),
1st Floor, Vijayanandana Towers,
Opp : Post Office, Mettuguda,
Mahabubnagar -509 002 & another.

... Respondents



This court made the following :

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ORDER :

Heard learned counsel for the petitioner, Sri B.G. Ravinder Reddy, learned Standing counsel for respondent No. 1 and learned Government Pleader for Revenue for respondent No.2.

2. Petitioner claims to have purchased Ac.0-10 guntas of land in Sy.No.216/2 of Kothakota Mandal, Wanaparthy District and another piece of Ac.0-10 guntas of land in Sy.No.216/1 to 6 of Govindahali Village, Kothakota Mandal, Wanaparthy District. In Sy.No.216/2, M/s. Laxmi Venkateshwara Paraboiled Rice Mill Pvt. Ltd., was established which is owned by M/s.Laxmi Venkateswarlu Paraboiled Rice Mill Private Limited. As the rice mill defaulted in payment of loan borrowed from the Andhra Pradesh State Financial Corporation (for short 'the APSFC'), the APSFC initiated proceedings to conduct auction to recover the money due. The auction notice was issued on 20.02.2018 to conduct auction of Ac.7-00 of land belonging to M/s. Laxmi Venkateswara Paraboiled Rice Mill. Though petitioner is no way concerned with the said land, apprehends that as the proposed auction land is between two pieces of land owned by petitioner, there is no access to the subject land and purchaser may claim easementary rights. In such an event grave prejudice would be caused to the petitioner.

3. As noted above, even according to petitioner, he is no way concerned with the land now proposed for sale by the APSFC. When the property is put for auction, all the relevant details will be available and it cannot be said that the APSFC as well as the prospective bidders would not be ascertaining the status of land before participating in the auction and purchasing the land. If the petitioner is no way concerned with the said property, merely because he is the owner of adjacent land, cannot object to conducting sale of the subject land by APSFC to recover the money due to it.

4. Thus, no case is made out for interference and stopping the auction proceedings. Writ Petition is accordingly, dismissed. Pending miscellaneous petitions shall stand closed.

25th October, 2018
Rds

P.NAVEEN RAO,J

