APHC010057872025

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

Bench Sr.No:-46 [3483]

WRIT PETITION NO: 3212 of 2025

State Bank of India ...Petitioner

Vs.

The State of Andhra Pradesh and others ...Respondents

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Advocate for Petitioner : Mrs. S. Padmaja representing Mr. Rama Krishna A

Advocate for Respondent : GP for Registration and Stamps for R.1 & R.2.

CORAM : THE CHIEF JUSTICE DHIRAJ SINGH THAKUR
SRI JUSTICE RAVI CHEEMALAPATI

DATE : 22nd April, 2025

P C :

The present writ petition has been filed seeking a Mandamus to respondent No.2 i.e., the Sub-Registrar, Koritepadu, Guntur District, to register the sale certificate issued by the petitioner in favour of respondent Nos.3 & 4 herein.

2. The sale certificate is stated to have been issued in regard to the property in question pursuant to the action taken by the petitioner Bank under the provisions of the SARFAESI Act.

The stand of the official respondents is that the sale certificate was not being registered on account of the fact that there was an interim injunction issued by a civil Court in IA.No.88 of 2024 in OS.No.34 of 2024.

3. Learned counsel for the petitioner placed on record a copy of the order, dated 18.03.2024 as also the order, dated 02.04.2024 to bring home the point that although there was an interim order passed earlier, the same was not extended and was self limiting till 02.04.2024.

4. Nevertheless, in view of the fact that the order has not been extended by the trial Court, there would be no impediment now for the registering authority to receive the sale certificate and register it in terms of the relevant provisions of the Registration Act subject to payment of such fee as is otherwise payable.

5. Be that as it may, we allow the Writ Petition and direct the respondent authorities to take requisite action for registering the sale certificate in question in accordance with law. No order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

DHIRAJ SINGH THAKUR, CJ

RAVI CHEEMALAPATI, J

Vjl