

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
WEDNESDAY, THE TWENTY FIFTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE CHEEKATI MANAVENDRANATH ROY
AND

THE HONOURABLE SRI JUSTICE TUHIN KUMAR GEDELA

IA No. 1 OF 2026

IN

WP NO: 5456 OF 2026

Between:

Munnangi (Mamidi) Gouthami, D/o. Munnangi Pothureddy, aged about 39 years, Residing at Plot Number 104, Vedumula Home Land, Near NCC House, Symala Nagar 9th Line, Pattabhipuram (Guntur), Guntur, Andhra Pradesh - 522006.

...Petitioner(s)

(Petitioner in WP 5456 OF 2026

on the file of High Court)

AND

1. The State of Andhra Pradesh, Rep., by the Principal Secretary, Stamps and Registration Department, Secretariat, Velagapudi, Amaravathi, Guntur District. - 5233-38
2. The Authorised Officer, Tata Capital Housing Finance Limited, having its branch office at 5th Floor, RK Galleria, Service Road, Srinivasa Nagar Bank Colony, Kanuru, Andhra Pradesh - 520008.
3. The Sub-Registrar, Office of the Sub-Registrar, Nallapadu Road, Nallapadu, Guntur District, Andhra Pradesh - 522005.
(being the jurisdictional registering authority in respect of the subject secured property)

...Respondent(s)

(Respondents in-do-)

Counsel for the Petitioner :SRI VADLAPATLA SAI MALLIK

Counsel for the Respondent Nos.1 & 3:GP FOR REVENUE

Petition under Section 151 of CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to grant an interim stay of the operation and effect of the paper publication, the auction proceedings conducted on 20.01.2026, and all further steps pursuant thereto, including the issuance, confirmation, registration, or giving effect to any sale certificate in respect of the secured property, Pending disposal of WP No. 5456 of 2026, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER:

Heard Sri V.Sai Mallik, the learned counsel for the petitioner and the learned Assistant Government Pleader for respondent Nos. 1 and 2.

The petitioner is the daughter of principal borrower by name Munnangi Pothureddy. As the principal borrower committed default in repayment of the loan amount, the Bank has initiated measures under the SARFAESI Act and sold away the secured asset in the public auction.

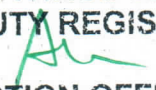
It is the case of the petitioner that the principal borrower passed away on 26.01.2023 about three years back and that the respondent authorities have given notice by way of paper publication to a dead person without giving any notice to his legal heirs and proceeded with

the sale and the said sale is not valid under law. It is stated that the petitioner recently came to know about the said sale. Therefore, she has questioned the validity of the sale on the ground that the sale was effected after giving notice to a dead person which is not valid under law.

Therefore, in the said facts and circumstances, till the real controversy is resolved after the 2nd respondent-authorized officer makes his appearance and files his counter, there shall be a direction to the 3rd respondent-Sub Registrar not to effect the registration of the Sale Certificate that may be presented by the Bank, issued in favour of the auction purchaser till the next date of hearing.

//TRUE COPY//

For

26.
SD/- P.VINOD KUMAR
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Stamps and Registration Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi, Guntur District. - 5233-38 (by Special Messenger)
2. The Authorised Officer, Tata Capital Housing Finance Limited, having its branch office at 5th Floor, RK Galleria, Service Road, Srinivasa Nagar Bank Colony, Kanuru, Andhra Pradesh - 520008.
3. The Sub-Registrar, Office of the Sub-Registrar, Nallapadu Road, Nallapadu, Guntur District, Andhra Pradesh - 522005. (Addressees 2 & 3 By RPAD)
4. One CC to SRI. VADLAPATLA SAI MALLIK Advocate [OPUC]
5. Two CCs to GP FOR REVENUE, High Court of Andhra Pradesh. [OUT]
6. Two spare copies

PSR

HIGH COURT

**CMR,J
&
GTK,J**

DATED:25/02/2026

NOTE: LIST THE MATTER ON 30.03.2026.

ORDER

**IA No. 1 OF 2026
IN
WP NO: 5456 OF 2026**



INTERIM DIRECTION