

HIGH COURT OF ANDHRA PRADESH : AT AMARAVATI

MAIN CASE No: W.P.No.33582 of 2025

PROCEEDING SHEET

Sl. No.	DATE	ORDER	OFFICE NOTE
01.	02.12.2025	<u>CMR, J & GTK, J</u> <u>W.P.No.33582 of 2025</u> Learned Government Pleader for Revenue takes notice on behalf of respondent Nos.1 to 4 and requests time to seek instructions. Issue notice to respondent Nos.5 to 14, returnable in four (04) weeks. List the matter on 30.12.2025. <u>I.A.No.1 of 2025</u> The petitioner is a financial institution and a secured creditor. Respondent Nos.5 and 6 are the principal borrowers who availed loan from the petitioner and offered their immovable property as security for repayment of the loan amount. They have mortgaged the said immovable property to the petitioner under a registered mortgage deed. The grievance of the writ petitioner is that during the subsistence of the said mortgage, the principal borrowers have sold away the secured asset to respondent Nos.7 to 14 under registered sale deeds without discharging the loan amount and respondent Nos.2 to 4-Sub-Registrars have also effected the registration of the sale deeds inspite of the fact that the mortgage in favour of the petitioner has been in	Contd.....

subsistence. It is the case of the petitioner that a fraud was played in creating a release deed as if the loan amount was discharged and mortgage was redeemed. Therefore, the petitioner has filed the writ petition seeking the reliefs prayed for.

In the said facts and circumstances of the case, there shall be interim direction to respondent Nos.2 to 4 not to effect further sale and not to allow registration of the sale deeds in respect of the secured asset so as to prevent multiplicity of litigation as it is the apprehension of the petitioner that respondent Nos.7 to 14 are now making efforts to create third party interests in respect of the said property.

CMR, J

GTK, J

BMS