APHC010544362026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)

THURSDAY, THE 15th DAY OF OCTOBER 2026

PRESENT

WRIT PETITION NO: 30087 OF 2026

Between:

1. KOLLURI NAGA VENKATA SATYANARAYANA, S/o Venkateswara Rao, Aged about 42 years, Occ Farmer, Rio H.No. 4-60/a, Ramalayam Veedhi, Lakshmipuram, A. Polavaram, Eluru District - 534456.

...Petitioner

AND

1. THE EX OFFICIO SPECIAL CHIEF SECRETARY, Agriculture, Cooperation and Marketing Department, Government of Andhra Pradesh, Velagapudi, Amaravati - 522238

2. The Commissioner for Cooperation and Registrar of Cooperative Societies, Andhra Pradesh, Guntur - 522002

3. The District Cooperative Officer, . Eluru District, Eluru - 534001

4. The Divisional Cooperative Officer, . Nuzvid, Eluru District- 521201

5. The T Narasapuram Primary Agricultural Cooperative Credit Society Ltd, T. Narasapuram, Represented by its Chief Executive Officer/ Non-offcial Person In charge Committee - 534467

6. Sri Nomula Veera Venkata Satyanarayana, S/o Sitaramulu, R/o Rudrakotaraju Gudem, T. Narasapuram Mandal, Eluru District - 534467

...Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased toissue a Writ, Order or Direction, more particularly one in the nature of a Writ of Mandamus Declaring the inaction of the Respondents, particularly the 5th Respondent Society, in not implementing the enquiry report dated 08.09.2025 and the consequential statutory directions issued by the 3rd Respondent District Cooperative Officer in Memo Rc.No.31/2025-C dated 06.11.2025, as arbitrary, illegal, and violative of Articles 14 and 300-A of the Constitution of India Consequently direct the authorities to immediately implement the findings of the enquiry officer and to take appropriate action for cancellation of the said mortgage,

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Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased direct the 5th Respondent Primary Agricultural Cooperative Credit Society Ltd., T. Narasapuram, to immediately cancel the mortgage/charge created under Declaration Bond No. 3646/2017 dated 03.08.2017 and release the Petitioner's absolute agricultural properties admeasuring Ac. 1.69 cents situated in Survey Nos. 653/8 (Ac. 0.34 cents), 663/5 (Ac. 1.13 cents), and 663/7 (Ac. 0.22 cents) of T. Narasapuram Village, Chintalapudi Sub-Division, Eluru District

Counsel for the Petitioner: ELURU SESHA MAHESH BABU

Counsel for the Respondents: GP FOR COOPERATION

The Court made the following order:

The petitioner is aggrieved by the inaction on part of respondent No.5 in complying with the recommendation of the Assistant Registrar, Office of Sub-Divisional Officer, Chintalapudi, to the District Cooperative Officer, Eluru, whereby the enquiry was conducted on the issue of creation of a charge over the land admeasuring Ac. 1.69 cents situated in R.S.No.663/7, 663/5 & 653/8 of T. Narasapuram Mandal, Rudrakota Rajugudem Area.

2. It is submitted that the petitioner had purchased the land admeasuring Ac. 1.69 cents from respondent No.6 vide registered sale deed dated 29.07.2017.

3. It appears that respondent No.6, after selling the property to the petitioner, created a charge over the property, over which he had no right, title or interest.

4. Respondent No.5 got an enquiry conducted on the issue at the request of the petitioner, and it was recommended that the charge created over the property purchased by the petitioner would have to be released and that appropriate recovery would have to be initiated against respondent No.6.

5. Respondent No.3, vide proceedings dated 06.07.2025, requested respondent No.5 to recover the dues from respondent No.6 and also to release the charge created on the property purchased by the petitioner.

6. Sri Suragani Krishna Vamsi, the learned Standing Counsel appearing for respondent No.5 submits that, as per the instructions received from respondent No.5, the directions of respondent No.3 shall be complied with and the necessary required proceedings shall be initiated against respondent No.6.

7. Considering the submissions, the Writ Petition can be disposed of by dispensing with the presence of respondent No.6, as any recovery shall be initiated in accordance with law.

8. Respondent No.5 shall have to comply with the directions of respondent No.3 and release the charge created over the property purchased by the petitioner, which was much prior to creation of the said challenge.

9. At any rate, respondent No.5 shall have to verify the dates on which the charge was created and also verify the saledeeds executed in favour of the petitioner before releasing the charge.

10. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

As a sequel, pending miscellaneous petitions, if any, shall stand closed.

JUSTICE HARINATH.N

15.10.2026
RJS/SZT

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HON'BLE SRI JUSTICE HARINATH.N

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Dt: 15.10.2026

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