

[3575]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MONDAY ,THE THIRTY DAY OF MARCH

TWO THOUSAND AND TWENTY SIX

:PRESENT:

HONOURABLE MS JUSTICE LISA GILL

AND

HONOURABLE SRI JUSTICE NINALA JAYASURYA

WRIT PETITION NO: 6273 OF 2026

Between:

1. Pulapaka Santha Bhushanam, S/o P Anantharao, aged about 50 years
2. Pulapaka Rani, W/o P. Santha Bhushanam, aged about 44 years. Both are R/o Door. No. 3-139, Sy.No. 103-6, 7th ward, Hanumanthunigudem Village, Nuzvid Mandal, Krishna District, Andhra Pradesh, Pin Code-521 201 .

Petitioners

AND

1. M/s IIFL Home Finance Limited(IIFL HFL), (Formerly Known as India Infoline Housing Finance Ltd..) rep by its Managing Director, Having its registered head office at IIFL House. Sun InfoTech Park, Road No. 16V, Plot No.B-23, Thane Industrial Area. Wagla Estate. Thane-400604.
2. M/s. IIFL Home Finance Limited (IIFL HFL)., (Formerly Known as India Infoline Housing Finance Ltd..) represented by it's Regional Legal

3. Manager, Mr. Deepavatha Balaji Singh Naik S/o DMS Naik, No 40/5/5/1/A and 1/B, Tikkie Road, MG Road, Chandra Mouli Puram, Near Sweet Magic Hotel, Vijayawada, NTR District, Andhra Pradesh, Pin Code-520010.

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 to issue an appropriate writ, order or direction, more particularly one in the nature of Writ of Mandamus, declaring the high-handed and illegal action of the 2nd Respondent in misleading the Chief Judicial Magistrate, Machilipatnam, Krishna District, and obtaining orders for appointment of an Advocate Commissioner vide Crl.M.P. No. 50 of 2026 in C.F. No. 02 of 2026, and pursuant thereto executing the warrant and seizing the Petitioners residential house bearing Door No. 3-139, Assessment No. 440, admeasuring 193.6 square yards, situated in Sy. No. 103-6, 7th Ward, Hanumanthunigudem Village, Nuzvid Mandal, Krishna District, and further proclaiming in the village that the same would be brought to open auction for recovery of the alleged loan amount of Rs. 5,96,021/-, as illegal, arbitrary and contrary to Notification S.O. No. 652(E) issued by the Ministry of Finance, Department of Financial Services, dated 12.02.2021, and violative of Articles 19(1)(e) and 21 of the Constitution of India and consequently set aside the said proceedings, direct restoration and return of the Petitioners property,

IA NO: 1 OF 2026

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 to stay all further proceedings pursuant to Crl.M.P. No. 50 of 2026 in C.F. No. 02 of 2026, on the file of Chief Judicial Magistrate, Machilipatnam, Krishna District including any steps towards

7
auction or alienation, and to restore and hand over physical possession under lock and key of the schedule residential house bearing Door No. 3-139, Assessment No. 440, admeasuring 193.6 square yards, situated in Sy. No. 103-6, 7th Ward, Hanumanthunigudem Village, Nuzvid Mandal, Krishna District, Andhra Pradesh - 521 201, to the Petitioner, pending disposal of the main Writ Petition; ✓

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri SYAM VARA PRASAD RAO P Advocate for the Petitioner(s), HEMADRI V S S R R CHANDRAKANTH Advocate for the Respondents and the Court made the following.

ORDER

Learned counsel for respondent Nos.1 and 2 prays for sometime to file counter. ✓

Status-quo regarding possession on the secured asset to be maintained till the next date of hearing. ✓

List on 20.04.2026.

//TRUE COPY//

**SD/- K. KASIRAO ACHARI
ASSISTANT REGISTRAR**

SECTION OFFICER

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To,

1. The Chief Judicial Magistrate, Machilipatnam, Krishna District. ✓
2. The Managing Director, IIFL HOME FINANCE LIMITED(IIFL HFL),
(Formerly Known as India Infoline Housing Finance Ltd..), Having its registered head office at NFL House. Sun InfoTech Park, Road No. 16V, Plot No.B-23, Thane Industrial Area. Wagla Estate. Thane-400604.

3. The Regional Legal Manager, M/s. IIFL Home Finance Limited (IIFL HFL)., (Formerly Known as India Infoline Housing Finance Ltd..) ,Mr. Deepavatha Balaji Singh Naik S/o DMS Naik, No 40/5/5/1/A and 1/B, Tikkie Road, MG Road, Chandra Mouli Puram, Near Sweet Magic Hotel, Vijayawada, NTR District, Andhra Pradesh, Pin Code-520010. (1-3 by RPAD)
4. One CC to SRI. SYAM VARA PRASAD RAO P Advocate [OPUC]
5. One CC to SRI. HEMADRI V S S R R CHANDRAKANTH Advocate [OPUC]
6. One spare copy

HIGH COURT

**LG, J
&
NJS, J**

DATED:30/03/2026

LIST THE MATTER ON 20.04.2026

ORDER

WP.No.6273 of 2026

DIRECTION

