



IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

THURSDAY, THE TWENTY FIRST DAY OF NOVEMBER,
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD
WRIT PETITION NO: 8131 OF 2024

Between:

Union Bank Of India (Erstwhile Andhra Bank), Asset Recovery Branch,
Vijayawada 4 th Floor, Andhra Bank Building, R.R. Apparao Street,
Vijayawada, Andhra Pradesh - 520001 Represented by its Authorized officer.
Email id arb.vijayawada@unionbankofindia.bank

...Petitioner

AND

1. The State Of Andhra Pradesh, Represented by Its Principal Secretary Revenue Department Secretariat Velagapudi, Amaravathi, Andhra Pradesh
2. Director and Inspector General of Registration and Stamps, D. No. 5/59, R.K. Spring Valley Apartments, Mandal, Edupugallu, Kankipadu, Krishna District, Andhra Pradesh -521151.
3. The Sub Registrar of Assurances,, Koratipadu, Guntur District Andhra Pradesh 522007
4. Suryadevara Abhay Pradhamba,, W/o S. Venkata Krishna Muithy R/o D. No. 1-2-57, 1 st Lane, 7 th Cross Road, JKC Nagar, Guntur City, Guntur District
5. Suryadevara Narendera Kumar,, S/o S. Venkata Krishna Murthy R/o D. No. 22B-2-8, Ambica Street, Power Peta, Eluru, Eluru Mandal, West Godavari District
6. Suryadevara Narmada,, W/o Suryadevara Narendera Kumar, R/o D. No. 22B-2-8, Ambica Street, Power Peta, Eluru, Eluru Mandal, West Godavari District

7. Suryadevara Chandan Kumar, S/o Suryadevara Narendera Kumar, R/o D. No. 22B-2-8, Ambica Street, Power Peta, Eluru, Eluru Mandal, West Godavari District
8. Avimeni Someshwar Rao,, S/o Avimeni Venkatadri R/o D. No. 22B-2-8, Ambica Street, Power Peta, Eluru, Eluru Mandal, West Godavari District
9. M/s. Sri Aditya Constructions, Represented by its Managing Partner D. Bhupal Reddy Office at 11-78/1, Ankireddypalem Sivam, Main Road, Challavaripalem, Guntur - 522 005

Respondent

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 a Writ or order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction and refusal on the part of the Respondent No. 3 in refusing to Register the Sale Certificate being issued by the Petitioner in favour of the auction purchaser (Respondent No. 9 herein) under SARFAESI Act in respect of property bearing Old Door No. 1-2-67/A, New Door No. 1-2-65, Old Assessment No. 896-01, New Assessment No. 1021171961, admeasuring 550 Square Yards , 4 th lane, SVN Colony, D. No. 240/9, Koretipadu Village, Guntur District and entertaining and registering unilateral Gift Revocation deed No. 4088/2020, dt. 09.12.2020 executed by Respondent No. 5 by cancelling Registered Gift deed No. 8620/2001, dt. 27.10.2001 and subsequently registering gift deed No. 1047/2021, dt. 25.01.2021 executed by Respondent No. 5 in favour of Respondent No. 6 and 7 and Registered GPA No. 1611/2021 , dt. 12.02.2021 as arbitrary, illegal, capricious and violative of principles of natural justice and under Section 48 and 126 of Transfer of Property Act , Rule 26 (i) (k) (i) of A.P. Registration Rules and consequently cancel the execution of Revocation deed No. 4088/2020, dt. 09.12.2020 , gift deed No. 1047/2021, dt. 25.01.2021 and GPA No. 1611/2021 , dt. 12.02.2021 and direct the Respondent No.3 to register the Sale Certificate being executed by the Petitioner Bank under SARFAESI Act in favour of Respondent No. 9

IA NO: 1 OF 2024

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 direct Respondent No. 3 to register the Sale Certificate being issued by the Petitioner in favour of the auction purchaser in respect of property bearing Old Door No. 1-2-67/A, New Door No. 1-2-65, Old Assessment No. 896-01, New Assessment No. 1021171961, admeasuring 550 Square Yards , 4 th lane, SVN Colony, D. No. 240/9, Koretipadu Village, Guntur District, Pending disposal of WP.No.8131 of 2024, on the file of the High Court.

IA NO: 2 OF 2024

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 order for service of notice on Respondent No. 5 to 7 by substituted service by way of paper publication in any local news paper, Pending disposal of WP.No. 8131 of 2024, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri V DYUMANI Advocate for the Petitioner and of GP FOR REGISTRATION AND STAMPS (AP) for Respondent Nos. 1 to 3, the Court made the following.

ORDER:

“5. The Writ Petitioner is directed to serve Notice on the Respondent Nos. 5 to 7 by way of paper publication in the local newspaper having vide circulation.

6. Learned Counsel for the Writ Petitioner submits that the Writ Petitioner would publish Notice in ‘Eenadu’ in the entire State of Andhra Pradesh. Let the needful be done on or before 19.12.2024 and file proof of substituted service on the file of this Court within a week thereafter.

7. List this matter on 08.01.2025."

//TRUE COPY//

For

SD/- K.SRINIVASA RAJU
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. One CC to SRI. V DYUMANI Advocate [OPUC]
2. Two CCs to GP FOR REGISTRATION AND STAMPS (AP) ,High Court
Of Andhra Pradesh. [OUT]
3. One spare copy



HIGH COURT

GRKP,J

DATED:21/11/2024

LIST THE MATTER ON 08.01.2025

ORDER

WP NO: 8131 OF 2024

DIRECTION

