

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

WEDNESDAY, THE TWENTY SECOND DAY OF APRIL,
TWO THOUSAND AND TWENTY SIX



:PRESENT:
HONOURABLE THE CHIEF JUSTICE MRS LISA GILL
AND
THE HONOURABLE SRI JUSTICE NINALA JAYASURYA

WRIT PETITION NO: 10843 OF 2026

Between:

Mummidivarapu Veera Venkata Padma, D/o.M.S.Murthy, Aged about
32 Years, R/o.D.No.14, Flat No.F2, Peace Apartments, Bhajanakoil,
First Street, Choolaimedu, Chennai, Tamilnadu - 600094.

...Petitioner

AND

1. THE UNION OF INDIA, Rep.by its Secretary, Department of Financial Services, Ministry of Finance, Jeevan Deep Building, Sanad Marg, New Delhi-110001.
2. M/s.Cholamandalam Investment Finance Company Ltd., "Chola Crest" C54 55, Super B-4, Thiru VI Ka Industrial Estate, Guindy, Chennai, Tamilnadu - 600032, Rep. by its Authorised Officer.
3. M/s.Cholamandalam Investment Finance Company Ltd., Prakash Nagar, Rajamahendravaram, East Godavari District, A.P.- 533103, Rep. by its GPA Holder Sri Chinta Srinivas, S/o.Venkata Ramana.
4. Sri.K.Phani Ravi Sankar, Advocate Commissioner,
Rajamahendravaram, Appoint in CrI.MP.No.107/2025, by Hon'ble Prl.
Senior Civil Judge (Senior Division), Cum-Chief Judicial Magistrate,
Rajamahendravaram, East Godavari District

5. Patamsetti Mary PararmJyothi, W/o.Late Krishna Murthy R/o.D.No.3-73, Burgupudi, Kirlampudi Mandal, East Godavari District(presently Kakinada District), Andhra Pradesh - 533435.
6. Patamsetti Trimurthulu, S/o.Late Krishna Murthy, R/o.D.No.3-73, Burgupudi, Kirlampudi Mandal, East Godavari District(presently Kakinada District) Andhra Pradesh - 533435.
7. Patamsetti Manohar, S/o.Late Krishna Murthy, R/o.D.No.3-73, Burgupudi, Kirlampudi Mandal, East Godavari District(presently Kakinada District) Andhra Pradesh - 533435.

...Respondents

WHEREAS the Petitioner above named through her Advocate Sri. MUSUDI BABJI, presented this 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 action of the respondents No.2 to 4 seeking to take possession of the petitioners house property bearing Door No.3-87(G+1) situated in an extent of 485.75 Sq.Yard in Sy.No.62/2 of Burgupudi Village, Kirlampudi Mandal, Kakinada District (Erstwhile East Godavari District) instead of Secured Asset situated in Sy.No. 144 bearing Door No.3-73 (G+1), site for an extent of 277.5 Sq.Yard of Burgupudi Village, Kirlampudi Mandal, East Godavari District, (which was mortgaged by the respondents 5 to 7 herein) in pursuance of the order passed appointing Advocate Commissioner(4th respondent herein) in Crl.M.P.No.107/2026, dated 05.03.2026 on the file of the Chief Judicial Magistrate, East Godavari District at Rajamahendravaram, under the provisions of Securitisation and Reconstruction of Financial Assets and Enforcement of Security interest Act 2002 as illegal, irregular, irrational and against principles of natural justice and offends Articles 14, 21 and 300A of Constitution of India and consequently direct the respondents No.2 to 4 not to dispossess the petitioners house property stated supra;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri MUSUDI BABJI, Advocate for the Petitioner and of Ms. KASI ANNAPURNA, Advocate for the Respondent No.1, directed issue of notice to the Respondent Nos.2 to 7, herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Authorised Officer, M/s.Cholamandalam Investment Finance Company Ltd., "Chola Crest" C54 55, Super B-4, Thiru VI Ka Industrial Estate, Guindy, Chennai, Tamilnadu – 600032.
2. The GPA Holder Sri Chinta Srinivas, S/o.Venkata Ramana, M/s.Cholamandalam Investment Finance Company Ltd., Prakash Nagar, Rajamahendravaram, East Godavari District, A.P.- 533103,
3. Sri.K.Phani Ravi Sankar, Advocate Commissioner, Rajamahendravaram, Appoint in CrI.MP.No.107/2025, by Hon'ble Prl. Senior Civil Judge (Senior Division), Cum-Chief Judicial Magistrate, Rajamahendravaram, East Godavari District
4. Patamsetti Mary PararmJyothi, W/o.Late Krishna Murthy R/o.D.No.3-73, Burgupudi, Kirlampudi Mandal, East Godavari District(presently Kakinada District), Andhra Pradesh - 533435.
5. Patamsetti Trimurthulu, S/o.Late Krishna Murthy, R/o.D.No.3-73, Burgupudi, Kirlampudi Mandal, East Godavari District(presently Kakinada District) Andhra Pradesh - 533435.
6. Patamsetti Manohar, S/o.Late Krishna Murthy, R/o.D.No.3-73, Burgupudi, Kirlampudi Mandal, East Godavari District(presently Kakinada District) Andhra Pradesh - 533435.

are be and hereby directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition

and the memorandum of grounds filed therewith (copy enclosed) this WRIT PETITION should not be admitted on or before **22.06.2026** to which date the case stands posted for hearing.

IA NO: 1 OF 2026

Petition under Section 151 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 direct the respondents 2 to 4 not to dispossess the petitioner from her house property bearing Door No.3-87(G+1) situated in an extent of 485.75 Sq.Yard in Sy.No.62/2 of Burugupudi Village, Kirlampudi Mandal, Kakinada District, Erstwhile East Godavari District (which is no way concerned with the secured asset) in pursuance of the order passed in CrI.M.P.No.107/2026, dated 05.03.2026 on the file of the Chief Judicial Magistrate, East Godavari District at Rajamahendravaram appointing the 4th respondent as Advocate Commissioner to take possession pending disposal of the writ petition;

The Court made the following ORDER:

Learned counsel for petitioner submits that property belonging to petitioner, on which, notice under SARFAESI Act has been affixed, was never mortgaged with Respondent - Finance Company. Some other property belonging to Respondent Nos.5 to 7, who incidentally happened to be the vendors of petitioner, has been mortgaged by them. Petitioner is owner of property in S.No.62/2 of Burugupudi Village in Kirlampudi Mandal of Kakinada District, whereas, property mortgaged is situated in S.No.144 of Burugupudi Village in Kirlampudi Mandal of Kakinada District.

Notice of motion.

Ms. Kasi Annapurna, Advocate accepts notice on behalf of Respondent No.1 and waives service.

Notice be issued to Respondent Nos.2 to 7.

Learned counsel for petitioner is permitted to take out personal notice to Respondent Nos.2 to 7 by Speed Post with Acknowledgment Due and file proof of service.

At request, adjourned to 22.06.2026.

Till then status quo regarding property in question be maintained.

//TRUE COPY//

SD/- K.SRINIVASA RAJU
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Authorised Officer, M/s.Cholamandalam Investment Finance Company Ltd., "Chola Crest" C54 55, Super B-4, Thiru VI Ka Industrial Estate, Guindy, Chennai, Tamilnadu – 600032.
2. The GPA Holder Sri Chinta Srinivas, S/o.Venkata Ramana, M/s.Cholamandalam Investment Finance Company Ltd., Prakash Nagar, Rajamahendravaram, East Godavari District, A.P.- 533103,
3. Sri.K.Phani Ravi Sankar, Advocate Commissioner, Rajamahendravaram, Appoint in CrI.MP.No.107/2025, by Hon'ble Prl. Senior Civil Judge (Senior Division), Cum-Chief Judicial Magistrate, Rajamahendravaram, East Godavari District
4. Patamsetti Mary ParamJyothi, W/o.Late Krishna Murthy R/o.D.No.3-73, Burgupudi, Kirlampudi Mandal, East Godavari District(presently Kakinada District), Andhra Pradesh - 533435.
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6. Patamsetti Manohar, S/o.Late Krishna Murthy, R/o.D.No.3-73, Burgupudi, Kirlampudi Mandal, East Godavari District(presently Kakinada District) Andhra Pradesh - 533435. (1 to 6 by RPAD- along with a copy of petition and memorandum of grounds)
7. One CC to Sri. MUSUDI BABJI, Advocate [OPUC]
8. One CC to Sri. KASI ANNAPURNA, CENTRAL GOVERNMENT COUNSEL, Advocate [OPUC]

9. Two Spare Copies

JSS

HIGH COURT

LG, J
&
NJS, J

DATED:22/04/2026

AT REQUEST, ADJOURNED TO 22.06.2026.

NOTICE BEFORE ADMISSION

WP.No.10843 of 2026

STATUS QUO

