



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

[3558]

WEDNESDAY, THE TWELFTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE CHEEKATI MANAVENDRANATH ROY

THE HONOURABLE SRI JUSTICE TUHIN KUMAR GEDELA

WRIT PETITION NO: 32280/2013

Between:

1.SRI CHAVAN VENKATESWARA PRASAD,KADAPA DIST,
S/O.VENKATAIAH NAIDU, AGED ABOUT 42 YEARS,
R/O.D.NO.10/573-1, M.G.ROAD, RAILWAY KODURU, KADAPA
DISTRICT.

...PETITIONER

AND

1.STATE BANK OF INDIA, RAILWAY KODURU BRANCH, (01459),
KADAPA DISTRICT. REP.BY ITS BRANCH MANAGER.
2.THE AUTHORIZED OFFICER, STATE BANK OF INDIA, RAILWAY
KODURU BRANCH, (01459), KADAPA DISTRICT.

...RESPONDENT(S):

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, direction or orders especially one in the nature of Mandamus declaring the action of the respondents in conducting the auction of the petitioners property situated in survey No. 689/1, bearing D.No.8/308-1 and 8/308-2, of Koduru village, Koduru Mandal, Pullampeta Subdivision, Kadapa District, Andhra Pradesh purported to be in exercise of powers under the provisions of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act -2002 as without jurisdiction, authority of

law, illegal, arbitrary and violative of Art.14, 21 and 300A of the Constitution of India

IA NO: 1 OF 2013(WPMP 40142 OF 2013)

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 of auction of petitioner's property situated in survey No. 689/1, bearing D.No.8/308-1 and 8/308-2, of Koduru village, Koduru Mandal, Pullampeta Subdivision, Kadapa District, Andhra Pradesh which is shown as Item No.1 in auction notice dt. 16.9.2013 , issued by respondent no.2 published in District Edition, Sakashi, dt. 3.10.2013 pending disposal of the above writ petition

Counsel for the Petitioner:

1.CKR ASSOCIATES

Counsel for the Respondent(S):

1.VENKATA RAMA RAO KOTA

The Court made the following:**ORDER:** (*Per Hon'ble Sri Justice Cheekati Manavendranath Roy*)

Heard learned counsel for the petitioner and Sri Venkata Rama Rao Kota, learned Standing Counsel for the respondent No.1-Bank.

2. Challenging the proceedings initiated to sell the secured asset for recovery of the loan amount availed by the principal borrowers, namely, Mr. Mudam Shaik Gafoor Saheb and Mr. M.S. Masthan Saheb in the public auction, the writ petition has been filed by the third party on the ground that he is the owner of the property that is sought to be sold in the public auction and he is not the borrower or the guarantor.

3. When the matter is taken for hearing, Sri Venkata Rama Rao Kota, learned Standing Counsel for respondent No.1-Bank, on written instructions, submits that the loan account of the borrowers Mr. Mudam Shaik Gafoor Saheb bearing account No.10707140282 and loan account of Mr. M.S. Masthan Saheb bearing account No.30065041857, who are the principal borrowers have been written off and closed on 22.03.2014 itself. He has produced a copy of the proceedings issued to that effect by the Chief Manager, Kodur Branch of State Bank of India, along with the statement of accounts of both the borrowers and the same are taken on record. He further submits, on instruction that, as the loan accounts were written off of the principal borrowers and the same were closed on 22.03.2014, no further steps

are being taken by the Bank to sell the property in question in the public auction.

4. Learned counsel for the petitioner submits to record the same and to close the writ petition.

5. Therefore, recording the aforesaid submissions made by the learned Standing Counsel for respondent No.1-Bank on instructions, the Writ Petition is closed. There shall be no order as to costs.

As a sequel, Interlocutory Applications pending, if any, shall stand closed.

JUSTICE CHEEKATI MANAVENDRANATH ROY

JUSTICE TUHIN KUMAR GEDELA

Date: 12.11.2025
MDP