

Date of reserved for orders :

Date of pronouncement :

Date of uploading :

APHC010266992026



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

[3545]

MONDAY, THE 29th DAY OF JUNE 2026

PRESENT

THE HONOURABLE SRI JUSTICE BATTU DEVANAND

THE HONOURABLE SRI JUSTICE A. HARI HARANADHA SARMA

WRIT PETITION NO: 14171/2026

Between:

1. SMT. TUMATI DHANALAKSHMI, W/O G. YESUDAS AGED 47 YEARS,
R/O S.4, VIVEKANANDA TOWERS OPP NIRMALA HIGH SCHOOL,
PATAMATA, VIJAYAWADA

...PETITIONER

AND

1. THE AUTHORIZED OFFICER CUM CHIEF MANAGER, STATE BANK
OF INDIA, RBO-1, PRAKASAM ROAD, SURYARAOPETA,
VIJAYAWADA-52002

2. THE BRANCH MANAGER, STATE BANK OF INDIA,
MOGHALRAJUPURAM VIJAYAWADA

...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 in the nature of a writ of mandamus or any other appropriate writ, direction, order or orders declaring the action of the respondents bank has obtained the warrant of commission to take physical possession vide docket order dt. 16-02-2026 passed in CrI.MP NO.199 of 2026 in CFR 283/2026 on the file of the Chief Metropolitan Magistrate, Vijayawada as well as notice dt.30-03-2026 which was affixed to

the wall of the building bearing Flat No. S 4, Vivekananda towers, Opp Nirmala High School, Vijayawada by lock and key of the flat on 29-04-2026 without the serving any prior notice to the petitioner as well as contrary to the Lokadalath award vide award No.5550/2022 in PLC NO.540/2022 on the file of the Mandal Legal Services Committee, Vijayawada by award dt.12-11-2022 without following the procedure contemplated under the Sarfeasi Act 2002 as wholly arbitrary, illegal and without jurisdiction and void and violated the principles of natural justice and affected the petitioner rights guaranteed under article 14, 19(1)(g) and 300(A) of the Constitution of India and consequently, set aside the warrant of commission dt. 16-02-2026 passed in CrI.MP No. 199 of 2026 in CFR 283/2026 on the file of the Chief Metropolitan Magistrate Vijayawada with reference to flat bearing No.S 4,Vivekananda Towers, Opp Nirmala High School, Patarmata, Vijayawada by open the lock and key of the same and pass such

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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 may be pleased to direct the respondents bank to open the lock and key of the premises bearing Flat No.S.4, Vivekananda towers, Opp: Nirmala High School, Patamata, Vijayawada by suspend the warrant of commission by order dt. 16-02-2026 passed in CrI.MP No.199 of 2026 on the file of the Chief Metropolitan Magistrate, Vijayawada as well as notice of the advocate commissioner dt.30- 03-2026 pending disposal of the writ petition and pass such

Counsel for the Petitioner:

1.V ESWARAIAH CHOWDARY

Counsel for the Respondent(S):

1.S SATYANARAYANA MOORTHY

The Court made the following:

THE HON'BLE SRI JUSTICE BATTU DEVANAND

&

THE HONOURABLE SRI JUSTICE A. HARI HARANADHA SARMA

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ORDER: *(Per Hon'ble Sri Justice Battu Devanand)*

Mr Tarun Kumar, learned counsel representing Mr V.Eswaraiah Chowdary, learned counsel for the petitioner on record sought permission of this Court to withdraw this Writ Petition.

2. Permission is granted.

3. Accordingly, the Writ Petition is dismissed as withdrawn. There shall be no order as to costs.

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

JUSTICE BATTU DEVANAND

JUSTICE A.HARI HARANADHA SARMA

Dated: 29.06.2026

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THE HON'BLE SRI JUSTICE BATTU DEVANAND
&
THE HONOURABLE SRI JUSTICE A. HARI HARANADHA SARMA

WRIT PETITION NO.14171 of 2026

Dated: 29.06.2026

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