

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

**TUESDAY, THE THIRD DAY OF FEBRUARY,
TWO THOUSAND AND TWENTY SIX**



**:PRESENT:
THE HONOURABLE SRI JUSTICE CHEEKATI MANAVENDRANATH ROY
AND
THE HONOURABLE SRI JUSTICE TUHIN KUMAR GEDELA**

WRIT PETITION NO: 13977 OF 2025

Between:

Surisetty Siva Venkata Prasad Guptha, Aged about 45years S/o Surisetty Subbarao, Occ Business, R/o D.No.9/220, Nandyal Road, Mydukur Town, YSR Kadapa District, Andhra Pradesh.

... Petitioner

AND

1. Union Of India, Rep by its Secretary, Department of Financial Services, Ministry of Finance, 3rd Floor, Jeevan Deep Building, Sansad Marg, New Delhi-110001.
2. The Reserve Bank of India, The Reserve Bank of India, 6 Sansad Marg, New Delhi-110001, Rep by its General Manager
3. The Indian Overseas Bank, Proddutur Branch (Branch Code 2977), YSR Kadapa District, Andhra Pradesh. Rep by its Chief Manager
4. The Chief Manager, Asset Reconstruction Department, Indian Overseas Bank, Regional Office, Vijayawada.
5. Asset Reconstruction Company (India) Limited, Represented by its Authorized Representative, Office No.207, Bhuvana Towers, above Mugdha Showroom Patny, Secunderabad, Hyderabad, Telangana-500003.

... Respondents

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may

be pleased to issue a writ order or direction, one more particularly in the nature of "Writ of Mandamus" declaring the action of Respondent No.5 in issuing a Possession Notice dated 14.05.2025 and claiming to have taken possession of the Rice Mill property situated in Sy.No.1055/B3, Old D.No.6/272A and 672/2-A, Sri Lakshmi Ganesha Mega Modern Rice Mill, Proddutur Main Road, Mydukur Town, Kadapa District, despite the Petitioner having purchased the said property through a registered sale deed and while W.P. No.30121 of 2023 is pending adjudication before this Honble Court as being illegal, arbitrary and violation of Principles of Natural Justice and also violation of Art 14, 21 and Art 300A of the Constitution of India and Consequently direct the Respondent Nos.3 and 4 herein to release the original link documents pertaining to Commercial property in Sy.No.1055/B3, Old D.No.6/272A and 672/2-A, Sri Lakshmi Ganesha Mega Modern Rice Mill, Proddutur Main Road, Mydukur Town, Kadapa District and set aside the impugned proceedings dated 14.05.2025 issued by the Respondent No.5.

IA NO: 2 OF 2025

Petition under Section 151 of 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 Respondent Nos.3 and 4 herein to forthwith release the original link documents pertaining to Commercial property in Sy.No.1055/B3, Old D.No.6/272A & 672/2-A, Sri Lakshmi Ganesha Mega Modern Rice Mill, Proddutur Main Road, Mydukur Town, Kadapa District, Pending disposal of WP 13977 of 2025, on the file of the High Court.

IA NO: 1 OF 2025

Petition under Section 151 of 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 Stay the Operation of and all further proceedings pursuant to the Possession Notice, Dt. 14.05.2025, issued by the Respondent No.5, Pending disposal of WP 13977 of 2025, 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 the earlier order of the High Court dated. 29.05.2025, 11.08.2025, 12.08.2025, 23.09.2025, 11.11.2025 , 09.12.2025 & 06.01.2026 made herein and upon hearing the arguments of Sri N ASHWANI KUMAR, Advocate for the Petitioner and of ADDITIONAL SOLICITOR GENERAL OF INDIA (Central Government Counsel) for Respondent No.1 and of M/s G. SUDHA MADHURI, STANDING COUNSEL for the Respondent Nos.3 & 4, and of Sri N. VARA PRASAD, STANDING COUNSEL, for the Respondent No.5, the Court made the following;

ORDER:

“Counter-affidavits of respondent Nos.3 and 4 not filed.

Counter-affidavit of respondent No.5 is filed along with vacate stay petition in I.A.No.1 of 2026.

At request of learned counsel for the petitioner, for filing reply-affidavit to the counter-affidavit of respondent No.5, list the matter on 17.02.2026.

Interim order granted earlier is extended till the next date of hearing.”

//TRUE COPY//

**SD/-A.VIJAYA BABU
DEPUTY REGISTRAR**


SECTION OFFICER

To,

1. One CC to Sri. N ASHWANI KUMAR, Advocate [OPUC]
2. One CC to ADDITIONAL SOLICITOR GENERAL OF INDIA [OPUC]
3. One CC to M/s G.SUDHA MADHURI, STANDING COUNSEL [OPUC]
4. One CC to Sri N.VARA PRASAD, STANDING COUNSEL [OPUC]
5. Two spare copies

HIGH COURT

**CMR, J
&
GTK, J**

DATED: 03.02.2026.

LIST THE MATTER ON 17.02.2026.

ORDER

WP.No.13977 of 2025

INTERIM ORDER EXTENDED

